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82D CONGRESS
2D SESSION

S. 2357

IN THE SENATE OF THE UNITED STATES

JANUARY 10, 1952

Mr. JOHNSON of Colorado (by request) introduced the following bill; which was read twice and referred to the Committee on Interstate and Foreign Commerce

A BILL

To amend the Interstate Commerce Act to restrict the application of the agricultural and fish exemption for motor carriers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) section 203 (b) (4a) of the Interstate Commerce
4 Act (49 U. S. C., sec. 303 (b) (4a)) is amended to read
5 as follows:

6 “(4a) Motor vehicles controlled and operated by
7 any farmer, (i) transporting supplies to his farm, or
8 (ii) transporting ordinary livestock as defined in section
9 20 (11) of this Act, or agricultural commodities (not
10 including livestock or commodities which have been
11 processed to a greater extent than is customarily done

1 by farmers) prior to their marketing by the farmers
2 raising or producing such livestock or commodities, if
3 such motor vehicles are not used at the same time or on
4 the return trip or customarily in any other kind of
5 transportation for compensation; or”.

6 (b) Section 203 (b) (6) of the Interstate Commerce
7 Act (49 U. S. C., sec. 303 (b) (6)) is amended to read
8 as follows:

9 “(6) motor vehicles transporting unprocessed fish
10 (including shellfish) to market for the fishermen catch-
11 ing such fish, if such motor vehicles are not used at the
12 same time or the return trip or customarily in any other
13 kind of transportation for compensation; or”.

A BILL

To amend the Interstate Commerce Act to restrict the application of the agricultural and fish exemption for motor carriers.

By Mr. JOHNSON of Colorado

JANUARY 10, 1952

Read twice and referred to the Committee on
Interstate and Foreign Commerce

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued May 29, 1952

For actions of May 28, 1952

82nd-2nd, No. 92

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

CONTENTS

Annual leave.....	2,26	Grain-storage investiga-	Property seizure.....	5
Appropriations.....	2,35	tion.....	Puerto Rico.....	14
Budgeting.....	15,21	Import control.....	Road authorizations..	11,12
Cheese.....	17	Labor, migratory.....	Shoes.....	18
Cotton.....	24	Lands, public.....	Social security.....	31
Defense production.....	6,18	Lands, transfer.....	Soil conservation....	25,33
Education.....	3	Leather.....	Soybeans.....	28
Expenditures.....	15	Legislative program.....	Tobacco.....	8
Farm program.....	24	Personnel.....	Transportation.....	7,13
Flood control.....	2,16,25	Potatoes.....	Veterans' benefits...19,27	
Flood rehabilitation.....	2	Foreign aid.....	Price control...6,18,28,29	
Forestry.....	11,12,34			

HIGHLIGHTS: Senate passed foreign-aid bill. Senate made defense-production bill its unfinished business and Sen. Maybank inserted summary of bill. Senate committees reported independent offices appropriation bill, measures to appropriate funds for flood control and soil conservation and to make temporary appropriations pending enactment of supplemental appropriation bill, and bill to make agricultural education program available for University of Alaska. Senate committee ordered reported various transportation bills. House passed road authorization bill.

SENATE

1. FOREIGN AID. Passed, 64-10, with amendments H. R. 7005, to extend the Mutual Security Program for the fiscal year 1953. Agreed, 37-34, to a Long amendment reducing the appropriation authorizations by \$200,000,000. Agreed to a Ferguson amendment providing that, when a commodity authorized for procurement outside the U. S. is under domestic allocation or price controls, it shall be furnished to the recipient country in lieu of dollar grants. (pp. 6218-39.)
2. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 7072, the independent offices appropriation bill for 1953 (S. Rept. 1603)(p. 6216). It is understood that the Committee voted to eliminate the rider to limit the taking of annual leave and eliminated the Jensen rider to restrict the filling of vacancies in the agencies covered by the bill, but that the Committee agreed to a Ferguson amendment making a 10% reduction in the budget estimates for personal services in various agencies covered by the bill.
The Committee reported with amendments H. J. Res. 426, making temporary appropriations available pending enactment of the third supplemental appropriation bill, H. R. 6947, which is tied up in conference. That bill includes supplemental items for pay costs in this Department. (S. Rept. 1612.)(p. 6216.)
The Committee reported without amendment H. J. Res. 454, which provides \$20,000,000 for USDA flood rehabilitation (FMA and SCS) and \$35,000,000 for Army flood control (S. Rept. 1602)(p. 6216).
3. EDUCATION. The Agriculture and Forestry Committee reported without amendment H. R. 6922, to amend Sec. 22 (relating to the endowment and support of colleges

of agriculture and the mechanic arts) of the act of June 29, 1935, so as to extend the benefits of such section to certain colleges in Alaska (S. Rept. 1609) (p. 6216).

4. **LAND TRANSFERS.** The Agriculture and Forestry Committee reported without amendment S. 2603, to return to Oregon a tract of land which had been donated to the U. S. for fish-hatchery use (S. Rept. 1610) (p. 6216).
The Committee also reported without amendment H. R. 5314, to transfer a tract of land which has been used by BPISAE for grape research to the University of California (S. Rept. 1611) (p. 6216).
5. **PROPERTY SEIZURE.** The Judiciary Committee reported with amendment S. J. Res. 158, to amend the Constitution so as to prohibit the President from seizing private property except as may be prescribed by law (S. Rept. 1606) (p. 6216).
6. **DEFENSE PRODUCTION.** S. 2594, to extend the Defense Production Act, was made the unfinished business (p. 6289). Sen. Maybank obtained consent to make a correction in the committee report and inserted a summary of the committee bill (p. 6291).
As reported, the bill extends price and wage control authority until Mar. 1, 1953, and extends authority for priorities, allocations, loans and loan guarantees, and import controls until June 30, 1953. However, the import-control provision is amended by substituting the old law (Public Law 590) for the Magnuson amendments (Sec. 104 of the Act). The bill amends the Capehart amendment to make clear that it does not apply to retailers and wholesalers; strikes out the word "hereafter" from the Herlong amendment, thus extending to all retailers and wholesalers their historical mark-up; and sets forth criteria under which price and wage controls should be suspended.
7. **TRANSPORTATION.** The Interstate and Foreign Commerce Committee ordered reported (but did not actually report) various transportation bills, including S. 2357, amending the Interstate Commerce Act regarding the agricultural exemption clause, and S. 2653, to standardize rates on household goods shipped by the U.S. Government for its employees (p. D511).
8. **TOBACCO.** The Agriculture and Forestry Committee voted to report (but did not actually report) H. R. 3554, to provide that the carryover of Maryland tobacco for any marketing year shall be the quantity of such tobacco on hand in the U. S. on Jan. 1 of such marketing year (p. D510).
9. **GRAIN-STORAGE INVESTIGATION.** The "Daily Digest" states that the Agriculture and Forestry Committee "postponed for 2 weeks action to conclude hearings on grain shortage investigation, in order that the committee staff and the GAO have further opportunities to complete their investigations" (p. D510).
10. **MIGRATORY LABOR.** Sen. Humphrey inserted a N. J. Consumers' League resolution commending the report of the President's commission on migratory labor (p. 6215).
11. **ROAD AUTHORIZATIONS.** As reported (see Digest 90), S. 2437 authorizes appropriations for each of the fiscal years 1954 and 1955 including the following:
Forest highways, \$25,000,000; forest development roads and trails, \$22,500,000; Federal-aid highways, \$270,000,000; Federal-aid secondary highways, \$180,000,000; national park roads and trails, \$10,000,000; parkways, \$10,000,000 and Indian reservation roads, \$10,000,000. It also authorizes \$50,000,000 for defense access roads.

May 28, 1952

cate, New York National Guard. Subcommittee continued in an evening session.

D. C. CRIME

Committee on the District of Columbia: Subcommittee on Crime had previously summoned Maj. Robert V. Barrett, former Metropolitan Police Superintendent, to appear to testify, but because of his absence, and inability of the subcommittee to locate Mr. Barrett, subcommittee heard a staff accountant testify as to the accounts and records of Mr. Barrett. Witness stated that there was documentary evidence to establish expenditures of Mr. Barrett of at least \$17,400 in excess of funds available during the period January 1949 to September 1951.

Following this, subcommittee, in executive session, questioned Inspector Beverly C. Beach, Metropolitan Police, with regard to his financial transactions from January 1950 through September 1951.

Subcommittee continues tomorrow in open session with further testimony from Inspector Beach.

RELIGIOUS IMPORTS, AND NOMINATION

Committee on Finance: Committee, in executive session, ordered favorably reported without amendment H. R. 7593, to authorize the duty-free importation of certain items and equipment for use by religious organizations, and the nomination of Graydon G. Withey to be member of the U. S. Tax Court. Committee also considered, but took no action on, H. R. 7783, providing an approximate 15-percent increase in the rates of statutory awards for service-connected disabled veterans of all wars.

ICC, CIVIL AERONAUTICS, AND NOMINATIONS

Committee on Interstate and Foreign Commerce: Committee, in executive session, ordered favorably reported to the Senate the following: (1) Without amendment—S. 2653, to amend the Interstate Commerce Act, relating to the shipment of household goods by the U. S. for its employees, S. 2829, to amend the Interstate Commerce Act, relating to the discontinuance of intrastate railroad service, S. 2355, to amend the Interstate Commerce Act, relating to finality of contracts between the Government and common carriers of passengers and freight, and S. 3161, to amend Interstate Commerce Act, relating to filing of equipment trust agreements on railroad equipment; (2) with an amendment in the nature of a substitute bill—S. 2354, to amend the Interstate Commerce Act, relating to stock modification plans, S. 2364, to amend the Interstate Commerce Act, relating to the revocation and amendment of water-carrier certificates and permits, and S. 1588, to amend the Air Commerce Act of 1926, relating to issuing to foreign air carriers permits to enter the U. S.; (3) with an amendment—S. 2213, to amend the Civil Aeronautics Act, to authorize imposition of civil penalties in certain cases where only criminal penalties are now prescribed; (4) with amendments—S. 2357, to amend the Interstate Commerce Act, relating to the agricultural exemption clause, and S. 2360,

to amend the Interstate Commerce Act, relating to the issuance of securities by motor carriers; and (5) the nomination of Allen V. Astin to be Director of National Bureau of Standards.

Committee agreed to hold one more day of hearings on the nomination of Charles D. Mahaffie to be a member of the ICC. Committee also agreed to appoint a subcommittee to hold hearings on the nomination of Thomas C. Buchanan to be a member of the FPC, which subcommittee will report back not later than June 11.

Prior to these actions, committee held open hearings on the Astin nomination, and heard the nominee testify in behalf of his own nomination.

CONSTITUTIONAL AMENDMENT (SEIZURE), COURT OF CLAIMS, AND NOMINATION

Committee on the Judiciary: Committee, in executive session, ordered favorably reported with a clarifying amendment S. J. Res. 158, proposing an amendment to the Constitution relative to the taking of private property; without amendment, S. 3195, granting jurisdiction to the Court of Claims to hear, determine, and render judgment upon certain claims; and S. 2084, private immigration bill. Committee also approved for reporting the nomination of Albert William Barlow to be U. S. attorney for the district of Hawaii.

TREATIES

Committee on the Judiciary: Subcommittee continued its hearings on S. J. Res. 130, proposing an amendment to the Constitution relative to the making of treaties and executive agreements, receiving testimony generally in favor of the principles of the resolution from W. L. McGarth, member of the U. S. employer delegation, International Labor Organization. Appearing in opposition to the resolution were Charles W. Tillett, past president, North Carolina Bar Association, and Will Maslow, general counsel, American Jewish Congress. Subcommittee recessed subject to call.

LABOR DISPUTES

Committee on Labor and Public Welfare: In continuing its hearings on S. 2999, providing a more effective method of dealing with labor disputes in vital industries, Subcommittee on Labor and Labor-Management Relations heard testimony from Senator Case, who discussed provisions of his bill, S. 3158, Public Welfare Act of 1952, and James Carey, secretary, CIO, who opposed enactment of S. 2999. Subcommittee recessed subject to call.

GOVERNMENT EMPLOYEES

Committee on Post Office and Civil Service: Subcommittee on Civil Service concluded hearings, as follows:

On S. 2026, to provide for adjustment in the compensation of certain employees transferred to the GSA from the Post Office Department pursuant to Reorganization Plan No. 18, receiving favorable testimony from:

C. Spencer Platt, Chief, Personnel Management Group, Bureau of the Budget; Joe Winslow, Assistant Executive Director, Civil Service Commission; Robert G. Peebles, Director, Personnel Division, GSA; Charles I. Stengle, legislative representative, AFGE; and Ross A. Messer, legislative representative, National Association of Post Office and General Services Maintenance Employees, with certain suggested amendments;

On S. 2457, to authorize payment of retroactive salary increase for services rendered by certain postal employees who died between July 1, 1951, and October 24, 1951, receiving favorable testimony from: William C. Doherty, president, National Association of Letter Carriers; E. C. Hallbeck, legislative representative, National Federation of Post Office Clerks; Jesse V. Horton, vice president, National Association of Postal Supervisors; W. M. Thomas, president, National Postal Transport Association; George L. Warfel, president, National Association of Special Delivery Messengers; C. B. Gravitt, attorney and assistant legislative representative, National League of District Postmasters; Bun Raley, president, National Association of Rural Letter Carriers Association; and Samuel E. Klein, president, United National Association of Post Office Clerks; C. Spencer Platt; and Joe Winslow; and

On S. 2460, amending Public Law 201 of Eighty-second Congress, regarding increase in basic rates of compensation of certain Government employees, after hearing testimony in favor thereof from C. Spencer Platt and Joe Winslow, both with suggested amendments; Charles I. Stengle; and Leland Walker, National Federation of Federal Employees.

Subcommittee recessed subject to call.

NEW JERSEY-PENNSYLVANIA COMPACT

Committee on Public Works: Committee held hearings on S. 2187, granting consent of Congress to compact between New Jersey and Pennsylvania concerning the Delaware Port Authority, and S. 2188, granting consent of Congress to compact between New Jersey and Pennsylvania regarding tunnel or bridge across Delaware River, and heard testimony in favor thereof from the following witnesses: Senators Martin, Hendrickson, and Smith of New Jersey; Representatives Barrett, Chudoff, Wolverton, and Hand; Gov. John S. Fine, of Pennsylvania; Gov. Alfred E. Driscoll of New Jersey;

Mayor Joseph Clark, of Philadelphia; Mayor George Brunner, of Camden, N. J.; Joseph K. Costello, manager, and H. E. Russell, special counsel, both of the Delaware River Joint Commission; George D. Riley, legislative committee, AFL; George Sylvester, executive assistant to the Governor of Delaware; J. Harry LaBrum, president, Philadelphia Chamber of Commerce; Henry Shiperd, president, Philadelphia Industrial Union Council, CIO; Edward E. Underdown, president, Camden County Chamber of Commerce; Charles H. Evans, Mayors' Association, Camden County, N. J.; Dan B. Goldberg, assistant general counsel, New York Port Authority; and Albert S. Faught, Philadelphia Committee on City Policy. Also favoring, but with suggested amendments, were Benjamin B. Foster, city councilman, and William E. Hughes, city solicitor, both of Gloucester City, N. J.; and Kent Smitheman, Haddon Heights, N. J. Appearing in opposition to the general principles of these bills was Representative Sieminski.

SENATE EXPENSES, PRINTING, GRATUITY, AND STATUES

Committee on Rules and Administration: Committee, in executive session, ordered favorably reported to the Senate without amendment the following bill and resolutions: (1) S. 2651, relating to telegram, long-distance telephone, special-delivery and air-mail postage allowances of Senators; (2) S. Res. 307, increasing by \$10,000 the limit of expenditures by Committee on Labor and Public Welfare; (3) S. Res. 314, increasing by \$163,800 limit of expenditures by Committee on the Judiciary under S. Res. 366 of Eighty-first Congress relating to internal security of U. S.; (4) S. Res. 318, authorizing the printing of additional copies of the joint committee print entitled "The Taxation of Corporate Surplus Accumulations"; (5) S. Con. Res. 59, to print part I and subsequent parts of hearings entitled "Institute of Pacific Relations"; (6) an original resolution granting a gratuity to the estate of a deceased Senate employee; (7) S. Con. Res. 70, accepting statues of Dr. John McLoughlin and Rev. Jason Lee, of Oregon, for placement in Capitol; and (8) S. Con. Res. 71, authorizing temporary placement in the rotunda of the Capitol of the statues of Dr. John McLoughlin and Rev. Jason Lee, of Oregon, and the holding of ceremonies.

House of Representatives

Chamber Action

Bills Introduced: 6 public bills, H. R. 8031-8036; 17 private bills, H. R. 8037-8053; and 9 resolutions, H. J. Res. 466-469, and H. Res. 660-664, were introduced.

Pages 6213-6214

Bills Reported: One report was made as follows, S. 2748, authorizing vessels of Canadian registry to transport iron ore between U. S. ports on the Great Lakes during 1952 (H. Rept. 2008).

Page 6213

Social Security: Passed, by voice vote, H. R. 6291, providing that until January 1, 1954, the States and Federal

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

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For actions of May 29, 1952

32nd-2nd, No. 93

OFFICE OF BUDGET AND FINANCE
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CONTENTS

Adjournment.....	11,16	Foreign aid.....	12,18	Prices, farm.....	2
Agricultural appropriation bill (individual items not indexed).....	1	Immigration.....	21	Reclamation.....	8
Appropriations, emergency..	3	Legislative program.....	11,16	Reconstruction Finance Corporation...	5
Defense production.....	2	Marketing.....	6,20,22	St. Lawrence waterway..	7
Electrification.....	17	Nomination.....	9	Taxation.....	19
Expenditures.....	19	Organization, legislative..	23	Tobacco.....	6,22
Flood control.....	15	Personnel.....	14	Transportation.....	4
Flood rehabilitation.....	3	Potatoes.....	20	Veterans' benefits....	13
		Price control.....	2	Wage controls.....	2
		Price support.....	10		

HIGHLIGHTS: Senate debated defense production bill. Senate passed appropriation measure for USDA flood rehabilitation. Ready for President. Senate committee reported agricultural appropriation bill.

SENATE

1. AGRICULTURAL APPROPRIATION BILL, 1953. The Appropriations Committee reported with amendments this bill, H. R. 7314 (S. Rept. 1619)(p. 6294).

At the end of this Digest are (1) a table showing the 1952 appropriations, the 1953 budget estimates, the House figures, and the Senate committee figures; and (2) excerpts from the Senate committee report.

Agency budget officers have been furnished a copy of the portions of the bill relating to their agencies. Copies of the bill and report will be distributed directly from the loading platform in the South Building, as soon as received, pursuant to a distribution list that has already been worked out with the Department agencies. In general, copies should be obtained through the agency and bureau budget officers rather than from this office.

2. DEFENSE PRODUCTION. Began debate on S. 2594, to extend and amend the Defense Production Act (pp. 6304-46, 6354-5, 6357-8). Rejected, 18-52, the Dirksen amendment to discontinue price-wage controls (pp. 6306-34). Sen. Aiken charged USDA "connivance" to reduce farm prices, particularly those on soybeans, pork, and potatoes (pp. 6310, 6316, 6320-5).

3. EMERGENCY APPROPRIATIONS. Passed without amendment H. J. Res. 454, which provides \$20,000,000 for USDA flood rehabilitation (FMA and SCS)(p. 6346). This measure will now be sent to the President.

On May 28 the Senate passed with amendments H. J. Res. 426, making appropriations for pay costs, etc., available pending enactment of the third supplemental appropriation bill, which is tied up in conference because of a provision regarding the steel-plants seizure. However, the Senate inserted a provision into H. J. Res. 426, also, dealing with the steel seizure. (pp. 6290-1.) On May

29 the measure was referred to the House Appropriations Committee (p. 6357).

4. **TRANSPORTATION.** The Interstate and Foreign Commerce Committee reported with amendments S. 2357, to amend the agricultural exemption clause of the Interstate Commerce Act (S. Rept. 1615)(p. 6293).
5. **RECONSTRUCTION FINANCE CORPORATION.** The Banking and Currency Committee reported with amendments S. 515, making various amendments to facilitate and improve RFC operations (S. Rept. 1618)(p. 6294).
6. **TOBACCO.** The Agriculture and Forestry Committee reported with amendments H. R. 3554, to provide that the carry-over of Maryland tobacco for any marketing year shall be the quantity of such tobacco on hand in the U. S. on Jan. 1 of such marketing year (S. Rept. 1620)(p. 6294).
7. **ST. LAWRENCE WATERWAY.** Sen. Aiken spoke in favor of this proposed project (pp. 6301-2).
8. **RECLAMATION.** Sen. Watkins urged additional reclamation work in Utah and raised a question about the amount of money being spent by the U. S. for reclamation in foreign countries (pp. 6302-4).
9. **NOMINATION.** Confirmed the nomination of Allen V. Astin to be Director of the National Bureau of Standards (p. 6358).
10. **PRICE SUPPORTS.** It is understood that, on May 30, a subcommittee of the Agriculture and Forestry Committee voted to report to the full Committee S. 2115, to continue the existing method of computing parity prices for basic agricultural commodities for two additional years.
11. **ADJOURNED** until Mon., June 2 (p. 6358). **LEGISLATIVE PROGRAM**, as announced by the majority leader: Mon., calendar and road authorizations; Tues., independent offices appropriation bill; Mon. or Tues., increase in retirement annuities; Wed., defense production bill (pp. 6344, 6346).

HOUSE

12. **FOREIGN AID.** Disagreed to a Senate amendment on H. R. 7005, to amend the Mutual Security Act of 1951, and requested a conference, appointing as conferees Reps. Richards, Mansfield, Morgan, Chipfield, and Vorys (p. 6359).
13. **VETERANS' BENEFITS.** The Interior and Insular Affairs Committee ordered reported (but did not actually report) H. R. 7757, granting preference to disabled veterans in making homestead entry on public lands (p. D520).
Rep. Springer spoke in favor of his amendment to H. R. 7656, providing educational benefits for Korean veterans (pp. 6367-71).
14. **PERSONNEL RETIREMENT.** Rep. Murray stated that he was strongly opposed to any legislation at this time which would increase the retirement benefits or annuities of Federal employees since "the retirement fund is not now actuarially sound" (pp. 6360-1).
15. **FLOOD CONTROL.** Rep. Reed presented a petition of the Fraternal Order of Eagles, Dunkirk, N. Y., urging the creation of a governmental commission to study methods of combating floods (p. 6372).
16. **ADJOURNED** until Mon., June 2 (p. 6371). **LEGISLATIVE PROGRAM**, Mon., consent calendar, Korean GI bill; Tues., private calendar, cotton parity standards; remainder of week, undetermined (p. D521).

PROVIDING THAT HORTICULTURAL COMMODITIES SHALL BE INCLUDED WITHIN THE TERM "AGRICULTURAL COMMODITIES" FOR THE PURPOSE OF THE AGRICULTURAL EXEMPTION FOR MOTOR CARRIERS IN THE INTERSTATE COMMERCE ACT

MAY 29 (legislative day, MAY 28), 1952.—Ordered to be printed

Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce, submitted the following

REPORT

[To accompany S. 2357]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (S. 2357) to amend the Interstate Commerce Act to restrict the application of the agricultural and fish exemption for motor carriers, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike out all after the enacting clause and insert the following:

That clauses (4a) and (6) of subsection (b) of section 203 of the Interstate Commerce Act are amended by inserting after "agricultural" in each such clause the following: "(including horticultural)".

And amend the title so as to read:

A bill to provide that horticultural commodities shall be included within the term "agricultural commodities" for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act.

PURPOSE AND NEED OF THIS LEGISLATION

The purpose of this legislation is to clarify the meaning of sections 203 (b) (4a) and 203 (b) (6) of the Interstate Commerce Act by specifically including horticultural commodities, such as nursery stock, flowers, and bulbs, within the definition of agricultural commodities. Under these sections, exemptions from certain requirements of part II of the Interstate Commerce Act are extended to "motor vehicles controlled and operated by any farmer, and used in the transportation of his agricultural commodities and products thereof, or in the transportation of supplies to his farm" and also to "motor vehicles used exclusively in carrying livestock, fish (including

shellfish), or agricultural commodities (not including manufactured products thereof)."

The Interstate Commerce Commission has held in its report in Determination of Exempt Agricultural Commodities (52 M. C. C. 511) that nursery stock, flowers, and bulbs are not agricultural commodities within the meaning of the sections quoted above. Testimony presented to the committee has clearly demonstrated that horticultural commodities, such as nursery stock, flowers, and bulbs, are agricultural commodities; and therefore, that motor vehicles transporting horticultural commodities should be treated in the same manner, so far as the foregoing sections of the Interstate Commerce Act are concerned, as motor vehicles transporting other agricultural commodities.

This legislation is needed in order to correct the present inequity applicable to the growers of horticultural commodities, such as nursery stock, flowers, and bulbs, since the Interstate Commerce Commission has excluded horticultural commodities (with some exceptions) from the definition of agricultural commodities. It is the belief of the committee that there is no sound basis for distinguishing horticultural commodities from "agricultural commodities" as used in sections 203 (b) (4a) and 203 (b) (6) of the Interstate Commerce Act.

S. 2357, as amended, will remove this inequity upon the transportation of horticultural commodities. Objections to the original S. 2357 were made by representatives of numerous agricultural and other organizations. However, no objections were presented to the inclusion of horticultural commodities within the meaning of "agricultural commodities" as used in the above-mentioned sections.

SCOPE OF LEGISLATION

As originally introduced, S. 2357 would have restricted the use of the agricultural exemption to motor vehicles controlled or operated by the farmer.

As amended, the bill leaves untouched the present language of sections 203 (b) (4a) and 203 (b) (6) of the Interstate Commerce Act except to make it clear that the term "agricultural commodities" includes "horticultural commodities" such as nursery stock, flowers, and bulbs.

CHANGES IN EXISTING LAWS

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics, existing law in which no change is proposed is shown in roman):

INTERSTATE COMMERCE ACT

*	*	*	*	*	*	*
SEC. 203. (b) (4a)	motor vehicles controlled and operated by any farmer when used in the transportation of his agricultural (<i>including horticultural</i>) commodities and products thereof, or in the transportation of supplies to his farm; or (5)					
*	*	*	*	*	*	*

SEC. 203. (b) (6)	motor vehicles used in carrying property consisting of ordinary livestock, fish (including shellfish), or agricultural (<i>including horticultural</i>) commodities (not including manufactured products thereof), if such motor vehicles are not used in carrying any other property, or passengers, for compensation; or (7)	*	*	*	*	*	*
*	*	*	*	*	*	*	*

Calendar No. 1545

82D CONGRESS
2D SESSION

S. 2357

[Report No. 1615]

IN THE SENATE OF THE UNITED STATES

JANUARY 9, 1952

Mr. JOHNSON of Colorado (by request) introduced the following bill; which was read twice and referred to the Committee on Interstate and Foreign Commerce

MAY 29 (legislative day, MAY 28), 1952

Reported by Mr. JOHNSON of Colorado, with amendments

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend the Interstate Commerce Act to restrict the application of the agricultural and fish exemption for motor carriers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That ~~(a)~~ section 203 ~~(b)~~ ~~(4a)~~ of the Interstate Commerce
4 Act ~~(49 U. S. C., sec. 303 (b) (4a))~~ is amended to read
5 as follows:

6 “~~(4a)~~ Motor vehicles controlled and operated by
7 any farmer, ~~(i)~~ transporting supplies to his farm, or
8 ~~(ii)~~ transporting ordinary livestock as defined in section
9 20 ~~(11)~~ of this Act, or agricultural commodities ~~(not~~
10 including livestock or commodities which have been
11 processed to a greater extent than is customarily done

1 by farmers) prior to their marketing by the farmers
 2 raising or producing such livestock or commodities, if
 3 such motor vehicles are not used at the same time or on
 4 the return trip or customarily in any other kind of
 5 transportation for compensation; or”.

6 ~~(b)~~ Section 203 ~~(b)~~ ~~(6)~~ of the Interstate Commerce
 7 Act ~~(49 U. S. C., sec. 303 (b) (6))~~ is amended to read
 8 as follows:

9 “~~(6)~~ motor vehicles transporting unprocessed fish
 10 ~~(including shellfish)~~ to market for the fisherman catch-
 11 ing such fish, if such motor vehicles are not used at the
 12 same time or the return trip or customarily in any other
 13 kind of transportation for compensation; or”.

14 *That clauses (4a) and (6) of subsection (b) of section 203*
 15 *of the Interstate Commerce Act are amended by inserting*
 16 *after “agricultural” in each such clause the following: “(in-*
 17 *cluding horticultural)”.*

Amend the title so as to read: “A bill to provide that horticultural commodities shall be included within the term ‘agricultural commodities’ for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act.”

82ND CONGRESS
2ND SESSION

S. 2357

[Report No. 1615]

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To amend the Interstate Commerce Act to restrict the application of the agricultural and fish exemption for motor carriers.

By Mr. JOHNSON of Colorado

JANUARY 9, 1952

Read twice and referred to the Committee on
Interstate and Foreign Commerce

MAY 29 (legislative day, MAY 28), 1952

Reported with amendments

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OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
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62nd-2nd, No. 94

CONTENTS

Appropriations.....	32	Forestry.....	2	Roads.....	6
Buildings.....	12	F. F. A.....	16	Tobacco.....	5
Census, agricultural....	9,18	Lands, transfer.....	3,22	Transportation.....	8,11
Cocoanuts.....	1	Minerals.....	24	Tuna imports.....	14
Cotton.....	27	Personnel.....	15,19,23	Veterans' benefits.....	21
Credit.....	28	Potatoes.....	30	Water pollution.....	20,24
Education.....	4	Reclamation.....	7	Water research.....	17
Foreign aid.....	10,29	Reorganization.....	31	Weather control.....	13
Forest products.....	26	Research.....	3,13,17		

HIGHLIGHTS: Senate passed bills: Reducing coconut tariff for Pacific Territory. Ready for President. Authorizing Forest Service airports. Modifying Md. tobacco quota law. Senate debated road authorization bill. House passed salt-water research bill. House debated Korean GI bill.

SENATE

1. COCONUT TARIFF. Passed without amendment H. R. 7188, to extend to coconut oil from the trust territory of the Pacific Islands the same exemption from the additional processing tax of 2 cents a pound as is provided to coconut oil from the Philippines and U. S. possessions (p. 6364). This bill will now be sent to the President.
2. FOREST AIRPORTS. Passed as reported S. 2229, to authorize this Department to acquire and operate airports near national forests (p. 6423).
3. LAND TRANSFERS. Passed without amendment S. 2603, to return to Oregon a 2-acre tract which had been donated to this Department for use as a fish hatchery (pp. 6425-6).
Discussed and passed over H. R. 5314, to donate to California University a tract of EPISAE land for grape research (pp. 6426-7).
4. EDUCATION. Passed without amendment H. R. 6922, to extend to Alaska colleges the benefits of the act of 1935 authorizing Federal contributions toward the endowment and support of agriculture and the mechanic arts (p. 6427). This bill will now be sent to the President.
5. TOBACCO. Passed as reported H. R. 3554, to change the carry-over date for Maryland tobacco from October 1 to January 1 of each year (pp. 6427-8).
6. ROAD AUTHORIZATIONS. Began debate on S. 2437, to authorize 1954 and 1955 appropriations for roads, including forest highways and forest roads and trails (pp. 6451-6).

7. RECLAMATION. Passed without amendment S. 2610, providing that excess-land provisions of the Federal reclamation laws shall not apply to certain lands that will receive a supplemental water supply from the San Luis project, Colo. (pp. 6422-3).
Passed as reported H. R. 5633, to approve a contract with the irrigation districts on the Owyhee project (pp. 6424-5).
8. TRANSPORTATION. Passed as reported S. 2357, to provide that horticultural commodities shall be included within the term "agricultural commodities" for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act (p. 6427).
9. AGRICULTURE CENSUS. The Post Office and Civil Service Committee reported with amendment S. 2903, to provide that a census of agriculture be taken in Oct. 1954 and in the same month of each tenth year thereafter (S. Rept. 1621)(p. 6374).
10. FOREIGN AID. Sens. Connally, George, Green, Wiley, and Smith of N. J. were appointed conferees on H. R. 7005, to continue the Mutual Security Program (pp. 6376-7). House conferees were appointed May 29.
11. TRANSPORTATION. The Interstate and Foreign Commerce Committee reported without amendment S. 2653, to standardize rates on household goods shipped by the U. S. Government for its employees (S. Rept. 1625)(p. 6374).
12. BUILDINGS. Discussed and passed over H. R. 4323, to authorize GSA to enter into long-term lease-purchase agreements for buildings (p. 6420).
13. WEATHER CONTROL. Discussed and passed over S. 2225, to create a committee to study and evaluate public and private experiments in weather modification (pp. 6383-4).
14. TUNA-FISH IMPORTS. Discussed and passed over H. R. 5693, to impose a tariff on tuna-fish imports (p. 6384).
15. CIVIL-SERVICE RETIREMENT. Sen. Robertson inserted the opening statement of Rep. Murray at the house hearings on amendments to the Civil Service Retirement Act (pp. 6377-8).
16. FUTURE FARMERS OF AMERICA. Sen. Wiley inserted a letter from the Wis. Director of Vocational and Adult Education favoring a postage stamp honoring FFA (pp. 6373-4).

HOUSE

17. SALT-WATER RESEARCH. Passed as reported H. R. 6578, to provide for correlation and coordination of research into practical means for the economical production from sea or other saline waters, of water suitable for agricultural, industrial, municipal, and other Beneficial consumptive uses. This amended version of the bill authorizes appropriation of \$1,000,000 for a 5-year period, gives the Interior Department responsibility for the project, and provides for advances of funds to other cooperating departments and agencies. (pp. 6462-3.)
18. AGRICULTURE CENSUS. Passed as reported H. R. 7202, providing for an agriculture census in Oct. 1954 and decennially thereafter (p. 6465).
19. PERSONNEL; LEAVE. Passed without amendment H. R. 7806, authorizing certain Federal employees to attend, without loss of pay or annual leave, funerals of

Mr. AIKEN. I believe that the transfer of this great experiment station to the University of California would be very helpful from the standpoint both of the State of California and the entire Nation, to which the results obtained would be available.

In this case the property would have to be continued in operation as an experiment station, or it would revert to the Federal Government. It seems to me that this is a very worthy case. The Department of Agriculture plans the abandonment of this station because of a shortage of funds. If this land were not transferred to the University, not only would the work itself be lost to the country, but also a considerable part of the money which the Federal Government has already invested would be lost. Instead of the Federal Government saving money, in all probability it would lose money. I do not know at what price the property could be sold.

Mr. NIXON. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. NIXON. It would probably mean that the property would not be used for this purpose under any circumstances, because the Federal Government is unable to spend the money for this experimental program. The property is probably worth much less for any other purpose than it would be worth if it were to be continued in use as an experiment station.

Mr. AIKEN. It seems to me that this is a case in which, in order to save what has already been spent by the Federal Government, it would be advisable to turn the land over to the University of California to continue the work under such agreement as might be reached between the Department of Agriculture and the University authorities.

Mr. ELLENDER. Mr. President, I point out to the distinguished Senator from Vermont that according to the report the value of the land has not increased since its acquisition by the Government several years ago. As has been stated, the University of California is willing to undertake the work which has been done by the Department itself, perhaps on a more extended basis. All the data which have been collected would be available, as my good friend from California [Mr. Nixon] stated, not only to the people of California, but to the people of all the country. Because of a curtailment in appropriations of the Department of Agriculture, the Department had to reduce some of its expenses in connection with experiment stations. This is one of the victims.

Mr. NIXON. Mr. President, in line with the suggestion made by the Senator from Louisiana, if the experimental work were to be continued, the result might possibly be that grapes grown in Ohio, New York, and other States would equal in quality those grown in California, which would be a great improvement, as most of us in California would admit.

I point out also that the bill contains a provision that the property shall revert to the United States if at any time the university ceases to use it for the

general purposes for which it is to be transferred, which means that there would be an implied agreement on the part of the University of California to continue to use the property for that purpose.

Under the circumstances, it seems to me that the Federal Government is getting from the University of California a quid pro quo, within the formula of the junior Senator from Oregon.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 5314?

Mr. SCHOEPPPEL. Mr. President, reserving the right to object, let me say to the able Senator from California [Mr. Nixon] and the able Senator from Vermont [Mr. Aiken] that I must object. However, in making my objection, I wish to submit a request. While I must object, in order to carry out my responsibility to the Senator from Oregon [Mr. Morse], in view of the explanation which has been made by the Senator from California and the colloquy which has taken place on the floor of the Senate, I ask unanimous consent that Calendar No. 1541, House bill 5314, be passed over until the next call of the calendar and that it be eligible to be called at that time. I make this request out of fairness to the Senator from California, inasmuch as the Senator from Oregon is not present. I am hopeful that the Senate will agree to my request.

The PRESIDING OFFICER. Without objection, the request of the Senator from Kansas in stating his objection to the consideration of the bill will be agreed to. The bill will be passed over until the next call of the calendar.

Mr. McFARLAND. Mr. President, I have received a request that this bill be called up for consideration. That could not be done today without notice. The bill seems to be of importance. I give notice that it may be called up any day. I hope the Senator from California can make arrangements with the Senator from Oregon so that the bill may be considered some day soon, and that the differences may be thrashed out.

The bill (H. R. 6922) to amend section 22 (relating to the endowment and support of colleges of agriculture and the mechanic arts) of the act of June 29, 1935, so as to extend the benefits of such section to certain colleges in the Territory of Alaska, was considered, ordered to a third reading, read the third time, and passed.

TELEGRAM AND OTHER ALLOWANCES OF SENATORS—BILL PASSED OVER TO NEXT CALL OF THE CALENDAR

The bill (S. 2651) relating to telegrams, long-distance telephone, and special-delivery and air-mail postage allowances of Senators was announced as next in order.

Mr. SCHOEPPPEL. Mr. President, reserving the right to object—and probably I shall object—the minority leader, who could not be here today, has not had an opportunity to study certain phases

of the bill to the extent he would like to study them.

I ask unanimous consent that the bill go over to the next call of the calendar. During the interim, Senators will have an opportunity to discuss the bill with its sponsors.

The PRESIDING OFFICER. Without objection, the bill will be passed over to the next call of the calendar.

AMENDMENT OF ICC ACT TO RESTRICT APPLICATIONS OF CERTAIN EXEMPTIONS FOR MOTOR CARRIERS

The Senate proceeded to consider the bill (S. 2357) to amend the Interstate Commerce Act to restrict the application of the agricultural and fish exemption for motor carriers, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, to strike out all after the enacting clause and insert:

That clauses (4a) and (6) of subsection (b) of section 203 of the Interstate Commerce Act are amended by inserting after "agricultural" in each such clause the following: "(including horticultural)."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide that horticultural commodities shall be included within the term 'agricultural commodities' for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act."

AMENDMENT OF THE RECONSTRUCTION FINANCE CORPORATION ACT

The bill (S. 515) to amend the Reconstruction Finance Corporation Act was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPPPEL. Over. It is not a bill which should be considered on the call of the calendar.

The PRESIDING OFFICER. Objection is heard, and the bill goes over.

AGRICULTURAL APPROPRIATIONS FOR 1953

The bill (H. R. 7314) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1953, and for other purposes, was announced as next in order.

Mr. SCHOEPPPEL. By reason of the previous agreement entered into, this measure should go over.

The PRESIDING OFFICER. The bill will be passed over.

CARRY-OVER OF MARYLAND TOBACCO TO BE DETERMINED AS OF JANUARY 1—AMENDMENT TO AGRICULTURAL ADJUSTMENT ACT OF 1938

The bill (H. R. 3554) to amend the Agricultural Adjustment Act of 1938, as

amended, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of this bill?

Mr. SCHOEPPPEL. Mr. President, may we have an explanation of the bill?

Mr. ELLENDER. The sole purpose of the bill is to change the carry-over date. At the present time, the carry-over is computed as of October 1st of each year. The bill would make the carry-over date January 1st of each year. It would conform the practice with reference to tobacco with other agricultural practices in the State of Maryland. The net result would be to reduce the carry-over and total supply by the disappearance of Maryland tobacco during the period October 1 to January 1, and consequently would require a larger marketing quota in order to bring the total supply up to the reserve supply level.

Mr. SCHOEPPPEL. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 3554) to amend the Agricultural Adjustment Act of 1938, as amended, which had been reported from the Committee on Agriculture and Forestry with amendments on page 1, line 8, after the word "years", to insert "(or on January 1 of such marketing year in the case of Maryland tobacco)", and in line 11, after the word "year", to strike out "then current, except that in the case of Maryland tobacco it shall be the quantity of such tobacco on hand in the United States on January 1 of such marketing year, and" and insert "in which such marketing year begins."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PRINTING OF SUPREME COURT DECISION IN STEEL SEIZURE CASE AS A SENATE DOCUMENT (S. DOC. NO. 141)

Mr. MAYBANK. Mr. President, the Supreme Court has rendered its decision in the so-called steel seizure case. It is my information that the supply of copies of the opinions of the Justices of the Supreme Court in the case has been exhausted. I ask unanimous consent that the opinions written by the Justices of the Supreme Court, of which I have a copy, be printed as a Senate document so that they may be readily available to everyone interested in the Court's decision.

Mr. MCFARLAND. Mr. President, the opinions have already been inserted in the Record at the request of the Senator from Washington [Mr. CAIN].

Mr. MAYBANK. I understand that but I was requesting that the opinions be printed as a Senate document so that copies may be readily available.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. FERGUSON. I think it would be highly advisable to do so because the opinions could be obtained much quicker in the form of a Senate document than otherwise.

Mr. MAYBANK. That is correct. They would be in documentary form.

Mr. FERGUSON. They could be obtained much quicker as a Senate document than in the Supreme Court Reports.

Mr. MAYBANK. I am making the request only because people have been telephoning to Senators with reference to the Defense Production Act in connection with the opinions written by the distinguished Justices of the Supreme Court.

Mr. MCFARLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. MCFARLAND. The distinguished Senator from Washington [Mr. CAIN] is about to leave the floor. I suggest that if the opinions of the Supreme Court are to be printed as a Senate document it would be unnecessary to have them printed in the CONGRESSIONAL RECORD. I wonder if the Senator from Washington would be willing to withdraw his request that they be printed in the CONGRESSIONAL RECORD.

Mr. MAYBANK. I think it would be better if they were printed as a Senate document, because I understand the Supreme Court has no more copies of the opinions available.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. WATKINS. How many copies of the CONGRESSIONAL RECORD are printed?

Mr. MAYBANK. I do not know the exact number, but I think it is approximately 43,000. I believe I receive a hundred copies, which are sent to certain persons in South Carolina who are on the list. Many of them probably would not be particularly interested in the opinion of the Supreme Court, although some of them of course would be interested. I dare say that many people are much more interested in reading about agriculture, civil functions, and rivers and harbors.

I am not suggesting that my good friend the Senator from Washington withdraw his request to have the opinions printed in the CONGRESSIONAL RECORD. I think that in the interest of the lawyers of the country and for the benefit of the people who have been telephoning about the opinions it would be better to have the opinions printed as a Senate document. The Senator from Michigan [Mr. FERGUSON] is a former judge. He is better qualified to give us an opinion on the matter.

Mr. FERGUSON. I wonder how long it would take to have a Senate document printed?

Mr. MAYBANK. Probably overnight, if the Senate asked for priority to be given to the printing of the Senate document.

Mr. FERGUSON. If we had the opinions printed as a Senate document they would be all in one place. It would be much easier to distribute them in the

form of a Senate document than if the opinions were printed in the CONGRESSIONAL RECORD. We get only a certain number of copies of the Record, whereas we can get a greater number of a Senate document.

Mr. MAYBANK. Not only would we get a greater number, but it would not be necessary to read what a Senator said about a House bill or some other subject.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. WATKINS. It seems to me that the best way to get distribution would be through the CONGRESSIONAL RECORD. The same type that is used in printing the opinions in the CONGRESSIONAL RECORD could be used in printing the document. More than 20,000 copies of the Record are regularly distributed to the libraries of the United States.

Mr. MAYBANK. I will say that I have no interest in the matter.

Mr. WATKINS. The opinions can be printed both in the Record and as a document.

Mr. MAYBANK. I was asked to make the request by Senators who wanted the opinions in documentary form, so that persons connected with the courts and lawyers could read the opinions.

Mr. FERGUSON. I think it is important that the decision receive the greatest possible distribution because it is of vital interest to the people of the United States.

Mr. MAYBANK. The Senator from Michigan is correct. The Senator knows my stand on the matter. The question is whether we should have the opinions printed in documentary form.

Mr. MCFARLAND. Mr. President, I have no objection to their being printed as a Senate document. Probably more space would be taken up in the CONGRESSIONAL RECORD in discussing the subject than would be taken up by printing the opinions. For that reason I call for the regular order.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from South Carolina that the opinions be printed as a Senate document?

Mr. CAIN. Mr. President, reserving the right to object, I should like to ask a question of my friend, the Senator from South Carolina. His request, as I understand it, is not predicated on my withdrawing my request that the decision of the Supreme Court be printed in the body of the Record. Am I correct in my understanding?

Mr. MAYBANK. I never made such a request or suggestion.

Mr. CAIN. I should like to suggest that in view of the importance—

Mr. MCFARLAND. Mr. President, I call for the regular order.

The PRESIDING OFFICER. The regular order has been called for.

Mr. FERGUSON. Mr. President, reserving the right to object—

The PRESIDING OFFICER. The regular order has been called for, and the Chair will submit the request. Is there objection to the request for the printing of the opinions as a Senate doc-

S. 2357

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 1952

Referred to the Committee on Interstate and Foreign Commerce

AN ACT

To provide that horticultural commodities shall be included within the term "agricultural commodities" for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That clauses (4a) and (6) of subsection (b) of section 203
4 of the Interstate Commerce Act are amended by inserting
5 after "agricultural" in each such clause the following: "(in-
6 cluding horticultural)".

Passed the Senate June 2, 1952.

Attest:

LESLIE L. BIFFLE,

Secretary.

AN ACT

To provide that horticultural commodities shall be included within the term "agricultural commodities" for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act.

JUNE 3, 1952
Referred to the Committee on Interstate and Foreign
Commerce

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 16, 1952
For actions of June 13, 1952
32nd-1st, No. 103

CONTENTS

Adjournment.....6	Emergency powers.....2	Rubber.....3
Administrative pro- cedure.....15	Foreign aid.....14	St. Lawrence Waterway...1
Coconut tariff.....10	Personnel.....5,8,15	Soil conservation.....9
Dairy industry.....12	Price controls.....13	Transportation.....7
Education.....11	Reclamation.....4	Veterans' preference....8

HIGHLIGHTS: Senate debated St. Lawrence waterway. House subcommittee voted to exempt horticultural products transportation from ICC. Sen. Morse spoke in favor of Snake River reclamation project.

SENATE

1. ST. LAWRENCE WATERWAY. Continued debate on S. J. Res. 27, to authorize this project (pp. 7300-18, 7321, 7340-3).
2. EMERGENCY POWERS. Passed without amendment H. J. Res. 481, to extend various emergency war powers through June 1952 (p. 7296). This measure will now be sent to the President.
3. RUBBER. Agreed to the conference report on H. R. 6787, to extend the Rubber Act of 1948 for 21 months (p. 7320).
4. RECLAMATION. Sen. Morse spoke in favor of the Snake River reclamation project (pp. 7323-40).
5. PERSONNEL. Received from the Civil Service Commission a proposed bill "to amend the Classification Act of 1949"; to Post Office and Civil Service Committee (p. 7294).
6. RECESSED until Mon., June 16 (p. 7354).

HOUSE

7. TRANSPORTATION. The Interstate and Foreign Commerce Committee ordered reported (but did not actually report) S. 2357, to make it clear that transportation of horticultural products is exempted from ICC regulation (p. D585).
8. PERSONNEL. A subcommittee voted to report to the full Post Office and Civil Service Committee H. R. 7721, to extend the Veterans' Preference Act to persons serving in the armed forces after termination of the war with Japan and before July 2, 1955 (p. D585).

BILL INTRODUCED

9. SOIL CONSERVATION. S. 3334, by Sen. Ellender, to the amend the Soil Conservation and Domestic Allotment Act; to Agriculture and Forestry Committee (p. 7294).

BILLS APPROVED BY THE PRESIDENT

10. COCONUT TARIFF. H. R. 7183, extending to coconut oil from the trust territory of the Pacific Islands, the same exemption from the additional processing tax of 2 cents a pound as is provided to coconut oil from the Philippines and U.S. possessions. Approved June 12, 1952 (Public Law 391, 82nd Cong.)
11. EDUCATION. H. R. 6922, extending to Alaska colleges the benefits of the act of 1935 authorizing Federal contributions toward the endowment and support of agriculture and the mechanic arts. Approved June 12, 1952 (Public Law 390, 82nd Cong.)

ITEMS IN APPENDIX

12. DAIRY INDUSTRY. Sen. Ives inserted Gov. Dewey's proclamation noting the importance of the dairy industry in New York State and declaring June to be Dairy Month (p. A3858).
13. PRICE CONTROLS. Sen. Smathers inserted a Tampa Daily Times editorial, "Economy Too Complex For Controls To Work" (p. A3859).
14. FOREIGN AID. Extension of remarks by Rep. Donohue favoring the conference report on H. R. 7005, to amend the Mutual Security Act of 1951, including the provisions relating to the technical assistance program (pp. A3861-2).
15. ADMINISTRATIVE PROCEDURE. Rep. Celler inserted his recent address made before the Federal Trial Examiners Conference wherein he outlined some of the efforts made by the Judiciary Committee in helping to develop and enact the Administrative Procedure Act. He said that during the six years since its enactment his committee has kept close contact with the administration of this law, "particularly with the problems raised by the appointment and qualification of trial examiners" (p. A3863.)

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COMMITTEE HEARING ANNOUNCEMENTS for June 16: Civil functions appropriation bill, S. Appropriations (ex). Mutual Security appropriation bill, H. Appropriations (ex).

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For supplemental information and copies of legislative material referred to, call Ext. 4654, or send to Room 105A.

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TO INCLUDE HORTICULTURAL COMMODITIES WITHIN THE TERM
"AGRICULTURAL COMMODITIES" FOR THE PURPOSE OF THE
AGRICULTURAL EXEMPTION FOR MOTOR CARRIERS IN THE
INTERSTATE COMMERCE ACT

JUNE 16, 1952.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. THORNBERRY, from the Committee on Interstate and Foreign
Commerce, submitted the following

REPORT

[To accompany S. 2357]

The Committee on Interstate and Foreign Commerce, to whom
was referred the bill (S. 2357) to provide that horticultural commodi-
ties shall be included within the term "agricultural commodities"
for the purpose of the agricultural exemption for motor carriers in
the Interstate Commerce Act, having considered the same, report
favorably thereon without amendment and recommend that the bill
do pass.

The report of the Interstate Commerce Commission dated June 9,
1952, is attached herewith.

PURPOSE AND NEED OF LEGISLATION

The purpose of this legislation is to clarify the meaning of para-
graphs (4a) and (6) of section 203 (b) of the Interstate Commerce
Act by specifically including horticultural commodities, such as
nursery stock, flowers, and bulbs, within the definition of agricultural
commodities. Under these sections, exemptions from certain re-
quirements of part II of the Interstate Commerce Act are extended to
"motor vehicles controlled and operated by any farmer when used in
the transportation of his agricultural commodities and products
thereof, or in the transportation of supplies to his farm" and also to
"motor vehicles used in carrying property consisting of ordinary live-
stock, fish (including shellfish, or agricultural commodities) (not
including manufactured products thereof)."

The Interstate Commerce Commission has held in its report in
Determination of exempt Agricultural Commodities (52 M. C. C. 511)

that nursery stock, flowers, and bulbs are not agricultural commodities within the meaning of the sections quoted above. Testimony presented to the Senate Committee on Interstate and Foreign Commerce has clearly demonstrated that horticultural commodities, such as nursery stock, flowers, and bulbs, are agricultural commodities; and therefore, that motor vehicles transporting horticultural commodities should be treated in the same manner, so far as the foregoing sections of the Interstate Commerce Act are concerned, as motor vehicles transporting other agricultural commodities.

This legislation is needed in order to correct the present inequity applicable to the growers of horticultural commodities, such as nursery stock, flowers, and bulbs, since the Interstate Commerce Commission has excluded horticultural commodities (with some exceptions) from the definition of agricultural commodities. It is the belief of the committee that there is no sound basis for distinguishing horticultural commodities from "agricultural commodities" as used in paragraphs (4a) and (6) of section 203 (b) of the Interstate Commerce Act.

S. 2357 will remove this inequity upon the transportation of horticultural commodities. No objections have been presented to the inclusion of horticultural commodities within the meaning of "agricultural commodities" as used in the above-mentioned sections.

LETTER FROM INTERSTATE COMMERCE COMMISSION

INTERSTATE COMMERCE COMMISSION,
Washington, 25 D. C., June 9, 1952.

HON. ROBERT CROSSER,
*Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D. C.*

MY DEAR CHAIRMAN CROSSER: Your letter of June 4, 1952, addressed to the Chairman of the Commission and requesting a report and comments on S. 2357, to provide that horticultural commodities shall be included within the term "agricultural commodities" for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act, which was passed by the Senate on June 2, 1952, has been referred to our legislative committee. After careful consideration by that committee, I am authorized to submit the following comments in its behalf:

S. 2357, as passed by the Senate, would amend clauses (4a) and (6) of paragraph (b) of section 203 of the act to read as follows (new matter italicized):

"(b) Nothing in this part, except the provisions of section 204 relative to qualifications and maximum hours of service of employees and safety of operation or standards of equipment shall be construed to include * * * (4a) motor vehicles controlled and operated by any farmer when used in the transportation of his agricultural (*including horticultural*) commodities and products thereof, or in the transportation of supplies to his farm; or * * * (6) motor vehicles used in carrying property consisting of ordinary livestock, fish (*including shell fish*), or agricultural (*including horticultural*) commodities (not including manufactured products thereof), if such motor vehicles are not used in carrying any other property, or passengers, for compensation; * * *

This amendment is evidently a result of the Commission's decision in Determination of Exempted Agricultural Commodities (52 M. C. C. 511), wherein we interpreted the meaning of the words "agricultural commodities (not including manufactured products thereof)" in section 203 (b) (6). In that proceeding we examined the legislative history of this partial exemption, and found that in explaining the object of this provision, a committee member had stated:

"The object was to help the farmer and keep him out of any regulation whatsoever or insofar as handling unprocessed agricultural products or livestock on the farm. (P. 12213, Congressional Record, pt. II, vol. 79, 74th Cong., 1st sess.)"

We concluded that Congress had in mind generally the commonly understood meaning of the word "farm," so as to embrace the edible products usually grown

by the farmer and those commodities generally considered to be the products of "farming" or attached to the farm. Therefore, such commodities as nursery stock, flowers, and bulbs were not considered as products of "farming" as that term is generally used.

There is some question as to whether the term "agricultural (including horticultural) commodities" would include "nursery stock." In view of the explanation in the Senate report, however, that the purpose of the amendment is to include "horticultural commodities, such as nursery stock, flowers, and bulbs," the amendment would probably be interpreted to include "nursery stock," in accord with the obvious legislative intent.

For your convenience, we are attaching two copies of our letter of March 11, 1952, addressed to Senator Edwin C. Johnson, chairman of the Committee on Interstate and Foreign Commerce of the United States Senate, in which we commented on S. 2357, as originally introduced in the Senate. We are also attaching two copies of our testimony before the Senate committee on this bill (Senate hearings, pp. 428-431).

Respectfully submitted.

WALTER M. W. SPLAWN,
Chairman, Legislative Committee.

CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as passed by the Senate, are shown as follows (new matter is printed in italics, existing law in which no change is proposed is shown in roman):

INTERSTATE COMMERCE ACT

* * * * *

SEC. 203. (b) (4a) motor vehicles controlled and operated by any farmer when used in the transportation of his agricultural (*including horticultural*) commodities and products thereof, or in the transportation of supplies to his farm; or (5)

* * * * *

SEC. 203. (b) (6) motor vehicles used in carrying property consisting of ordinary livestock, fish (including shellfish), or agricultural (*including horticultural*) commodities (not including manufactured products thereof), if such motor vehicles are not used in carrying any other property, or passengers, for compensation; or (7) * * *

* * * * *



Union Calendar No. 675

82^D CONGRESS
2^D SESSION

S. 2357

[Report No. 2175]

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 1952

Referred to the Committee on Interstate and Foreign Commerce

JUNE 16, 1952

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

AN ACT

To provide that horticultural commodities shall be included within the term "agricultural commodities" for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That clauses (4a) and (6) of subsection (b) of section 203
4 of the Interstate Commerce Act are amended by inserting
5 after "agricultural" in each such clause the following: "(in-
6 cluding horticultural)".

Passed the Senate June 2, 1952.

Attest:

LESLIE L. BIFFLE,

Secretary.

Union Calendar No. 675

82ND CONGRESS
2ND Session

S. 2357

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Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued June 30, 1952

For actions of June 27-28, 1952
82nd-2nd, Nos. 114 and 115

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

CONTENTS

Adjournment.....	32,40	Food.....	42	Price control.....	30,36
Anthrax.....	44	Foot-&-mouth disease...	1,33	Puerto Rico.....	17,31
Appropriations		Foreign aid.....	1,21,29	Reclamation.....	2
.....	1,13,29,33,39,48	Forestry.....	27	Research.....	1,8,33
Cheese.....	30	Fruits and vegetables....	30	Rubber.....	47
Construction contracts...	15	Immigration.....	12	School-lunch program....	29
Consumers.....	35	Import control.....	44	Soil conservation.....	20
Defense production		Inflation.....	46	Taxation.....	18
.....	1,6,23,30,46	International Materials		Tobacco.....	7,26,28
Economic stabilization...	29	Conference.....	38	Trade, foreign.....	38
Emergency powers.....	5,37	Land transfers.....	9,26,28	Transportation.....	3,49
Extension work.....	26,28	Legislative program.....	40	Veterans' benefits...19,34	
Fabrics, flammable.....	14	Livestock.....	25	Water utilization.....	41
Farm program.....	10,16	Milk.....	36	Wildlife conservation...11	
Fertilizer.....	30	Minerals.....	22,45	Wool.....	43
Flood control.....	4	Personnel.....	24,29		

HIGHLIGHTS: Both Houses agreed to conference report on appropriation bill for foot-and-mouth disease laboratory. House committee reported Bosone small-reclamation projects bill. House committee reported bills to adjust burley tobacco quotas and authorize consolidated insect-research laboratory. Senate overrode veto of immigration bill. Senate committee reported flammable-fabrics bill. Sen. Ken denied Secretary Brannan's charges on voting record. House concurred in Senate amendments to bills on extension-work authorizations, Md. tobacco quotas, and Ft. Robinson land transfer. House passed appropriation bill for foreign aid and defense production activities. Both Houses agreed to conference report on defense production bill. Senate passed Korean GI bill. Senate debated defense appropriation bill.

HOUSE - June 27

1. **APPROPRIATIONS.** Agreed to the conference report on H. R. 7860, the urgent deficiency appropriation bill for 1952. The conferees agreed to the following proviso, to be added to the item for a foot-and-mouth disease laboratory in lieu of the proviso which had been proposed by the Senate: "at a location to be selected by the Secretary of Agriculture after full hearings of which reasonable public notice shall be given to those who may reside within twenty-five miles from the island selected." (pp. 8440-1.)

Began debate on H. R. 8370, the supplemental appropriation bill for 1953, which includes items for foreign aid and defense-production activities (pp. 8390-431).

House conferees were appointed on H. R. 7176, the Interior appropriation bill (p. 8390). Senate conferees were appointed June 25.

House conferees were appointed on H. R. 7289, the State, Justice, Commerce appropriation bill (p. 8390). Senate conferees were appointed June 26.

2. **RECLAMATION.** The Interior and Insular Affairs Committee reported with amendment H. R. 7084, the Bosone bill to facilitate the development of small reclamation projects (H. Rept. 2328)(p. 8455).

The Interior and Insular Affairs Committee reported with amendment H. R. 6163, to provide the basis for authorization of irrigation works in connection with Chief Joseph Dam, to provide for financial assistance thereto from power revenues, etc. (H. Rept. 2327)(p. 8455).

3. TRANSPORTATION. The Rules Committee reported a resolution for consideration of S. 2357, to make clear that horticultural commodities are included in the provision of the Interstate Commerce Act which exempts the transportation of agricultural commodities from ICC regulation (p. 8432).
4. FLOOD CONTROL. The Rules Committee reported a resolution for consideration of H. R. 7817, to authorize emergency flood-control work made necessary by the recent floods (pp. 8432-3).
5. EMERGENCY POWERS. Passed without amendment H. J. Res. 490, to continue various emergency powers until July 3, 1952, pending enactment of the regular bill on this subject (p. 8440).
6. DEFENSE PRODUCTION. The conference report on S. 2594, to extend and amend the Defense Production Act, was ordered to be printed as H. Rept. 2350 (p. 8456).
7. TOBACCO ALLOTMENTS. The Agriculture Committee reported with amendment H. R. 8170 to reduce the minimum acreage allotments for burley tobacco (H. Rept. 2349)(p. 8456).
8. INSECT RESEARCH. The Agriculture Committee reported with amendment H. R. 7952, to authorize the combination of the Truck Crop Insect Laboratory and the Citrus Insect Laboratory of the Bureau of Entomology and Plant Quarantine, located at Alhambra and Whittier, Calif., respectively, and to provide for new quarters (H. Rept. 2348)(p. 8456).
9. LAND TRANSFERS. The Agriculture Committee reported without amendment S. 2603, to return to Oregon 2 acres of previously donated land for fish-hatchery use (H. Rept. 2347)(p. 8456).
The Expenditures in the Executive Departments Committee reported without amendment S. 3052, to authorize various property transactions, including transfer to the Navy Department of a tract of land which had previously been used by USDA in connection with an emergency rubber project (H. Rept. 2335)(p. 8455).
10. FARM PROGRAM. Rep. Furcolo commended the accomplishments of the farm program during the last few years (pp. 8444-9).
11. WILDLIFE CONSERVATION. Rep. Staggers urged greater efforts toward conservation of our natural resources, particularly wildlife (pp. 8449-50).

SENATE - June 27

12. IMMIGRATION. By a 57-26 vote, passed over the President's veto H. R. 5678, to revise the immigration and naturalization laws (pp. 8461-76). The bill has now become law.
13. APPROPRIATIONS. Passed with amendments H. R. 7313, the legislative appropriation bill for 1953. Senate conferees were appointed. (pp. 8476-501.)
The Appropriations Committee reported with amendments H. R. 7391, the Defense Department appropriation bill for 1953 (S. Rept. 1861)(p. 8458).
14. FLAMMABLE FABRICS. The Interstate and Foreign Commerce Committee reported with amendment S. 2918, to prohibit interstate commerce in articles of wearing

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 2, 1952
For actions of July 1, 1952
32nd-2nd, No. 117

CONTENTS

Administrative law.....9	Labor, farm.....27	Reorganization.....13
Appropriations.....8,32	Lands, transfer.....30	Research.....32
Dairy industry.....25	Legislative program.....22	Retirement.....5
Education.....6	Meat prices.....26	Rural life.....14
Electrification....19,23,27	Money and banking.....24	St. Lawrence seaway....20
Farm program.....27	Nominations.....17	Social security.....7
Flood control.....3	Personnel.....5,18	Soil conservation.....27
Flood rehabilitation....32	Price control.....26	Technical cooperation..17
Foot-and-mouth disease	Price maintenance.....10	Trade, foreign.....21
laboratory.....32	Price support.....27,28	Transportation.....1
Housing, farm.....4,29	Puerto Rico.....16	Travel expenses.....2
Immigration.....11	Reclamation.....31	Veterans' preference...15
Indians.....12		

HIGHLIGHTS: House passed bill to exempt horticultural-products transportation from ICC. Ready for President. House committees reported bills to extend rural-housing program and increase retirement annuities. Senate debated price-maintenance bill.

HOUSE

1. TRANSPORTATION. Passed without amendment S. 2357, to make clear that the transportation of horticultural commodities is included in the agricultural exemption from ICC regulation (pp. 8815-20). This bill will now be sent to the President.
2. TRAVEL EXPENSES. Passed without amendment S. 2545, permitting the advance of travel and subsistence expenses to Government employees by one agency for the convenience of another (pp. 8838-9). This bill will now be sent to the President.
3. FLOOD CONTROL. Passed without amendment H. R. 7817, to increase by \$35,000,000 emergency authorizations available to the Army Engineers (pp. 8810-14).
4. HOUSING. The Banking and Currency Committee reported with amendments S. 3066, to amend the housing laws (H. Rept. 2424)(p. 8853). One provision of this bill extends the rural-housing program, administered by USDA, for one additional year.
5. CIVIL-SERVICE RETIREMENT. The Post Office and Civil Service Committee reported without amendment S. 2968 and H. R. 8373, to increase the annuities of certain retired employees and to provide for a study of the civil-service retirement system (H. Repts. 2407 and 2409)(p. 8853).
6. EDUCATION. The Education and Labor Committee reported without amendment H. R. 7494, to encourage the educational fine arts programs in State and land-grant colleges and other institutions (H. Rept. 2428)(p. 8853).

7. SOCIAL SECURITY. House conferees were appointed on H. R. 7800, to increase old-age and survivors benefits under the Social Security Act (p. 8809). Senate conferees were also appointed (p. 8900.).
8. DEFENSE DEPARTMENT APPROPRIATION BILL, 1953. House conferees were appointed on this bill, H. R. 7391 (p. 8821). Senate conferees have been appointed.
9. ADMINISTRATIVE LAW. The Judiciary Committee ordered reported (but did not actually report) S. 2546, to provide for attorneys' fees in proceedings before the courts or other departments and agencies of the U. S. (p. D678).
10. PRICE MAINTENANCE. The Judiciary Committee ordered reported (but did not actually report) S. 719, to establish beyond doubt that, under the Robinson-Patman Act, it is a complete defense to charge of price discrimination for the seller to show that its price differential has been made in good faith to meet the equally low price of a competitor (p. D678).
11. IMMIGRATION. The Judiciary Committee re-referred to subcommittee, for further consideration, H. R. 7376, to authorize immigration of 300,000 European refugees (p. D678).
12. INDIANS. Passed as reported H. J. Res. 8, to authorize a study to determine the qualifications of Indians to manage their own affairs without Government supervision or control (pp. 8821-7).
13. REORGANIZATION. Rep. Dolliver reviewed the progress that has been made in re-organizing the Executive Branch (pp. 8840-2).
14. RURAL LIFE. Rep. Harvey inserted and commended a newspaper editorial supporting the new National Committee on Religion and Rural Life (p. 8839).

SENATE

15. VETERANS' PREFERENCE. The Post Office and Civil Service Committee reported without amendment S. 3200, extending the benefits of the Veterans' Preference Act of 1944 to persons serving in the armed forces after the termination of war between the U. S. and Japan and prior to July 2, 1955 (S. Rept. 2047) (p. 8897).
16. PUERTO RICO. Adopted the conference report on H. J. Res. 430, approving the Puerto Rico constitution (pp. 8905-6). This measure will now be sent to the President.
17. NOMINATIONS of Anthony Arpaia, Martin Elliott, and Charles Mahaffie to be Interstate Commerce Commissioners, and Jonathan Bingham to be Deputy Administrator for Technical Cooperation, were confirmed (p. 8941).
18. PERSONNEL. The Post Office and Civil Service Committee ordered reported (but did not actually report) S. 2484, to improve the efficiency of the U. S. Civil Service and to deny benefits, under the civil service and other retirement systems, to persons convicted of certain felonies (p. D675).
19. ELECTRIFICATION. Sen. Kefauver inserted a resolution adopted by the 1952 annual convention of the Tennessee Industrial Union Council favoring public power (pp. 8896-7).
20. ST. LAWRENCE SEAWAY. Received from the President the application to the International Joint Commission for approval of certain works in connection with the St. Lawrence seaway and power project; to Foreign Relations Committee (p. 8896).

seaward limits of the inland or internal waters of the United States, and the seaward boundaries of the United States and Alaska.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within or outside the United States, its territories, and possessions, whether the House is in session, has recessed, or has adjourned, and to hold such hearings, as it deems necessary.

SPECIAL ORDER GRANTED

Mr. HOLIFIELD asked and was given permission to address the House for 1 hour on Thursday, Friday, and Saturday of this week, following the legislative program and any special orders heretofore entered.

MOTOR CARRIER SECURITIES

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 713 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2360) to amend the Interstate Commerce Act to increase the amounts of securities issued by motor carriers without requiring approval by the Interstate Commerce Commission. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Oregon [Mr. ELLSWORTH].

Mr. Speaker, this resolution makes in order consideration of the bill S. 2360, to amend the Interstate Commerce Act to increase the amounts of securities issued by motor carriers without requiring approval by the Interstate Commerce Commission.

As far as I know, there is no objection to the bill; certainly there is no objection to the rule.

Mr. ELLSWORTH. Mr. Speaker, I have no requests for time on this side and I know of no objection to the rule.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that the bill (S. 2360) to amend the Interstate Commerce Act to increase the amounts of securities issued by motor carriers without requiring approval by the Interstate Commerce Commission, be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 214 of the Interstate Commerce Act, as amended, is amended by (1) striking out the figure "\$500,000" in the first proviso and inserting the figure "\$1,000,000" in lieu thereof, and (2) striking out the figure "\$100,000" in the first proviso and inserting the figure "\$200,000" in lieu thereof.

Mr. THORNBERRY. Mr. Speaker, as has been stated, there is no objection to the bill. There was no objection in the Committee on Interstate and Foreign Commerce, and there is no request for time on our side.

Mr. O'HARA. Mr. Speaker, I just want to confirm what the gentleman from Texas [Mr. THORNBERRY], said. This bill was unanimously reported by the Committee on Interstate and Foreign Commerce. I know of no objection to the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AGRICULTURAL EXEMPTION FOR MOTOR CARRIERS

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 714, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2357) to provide that horticultural commodities shall be included within the term "agricultural commodities" for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield one-half of the time to the gentleman from Oregon [Mr. ELLSWORTH].

Mr. Speaker, this resolution makes in order S. 2357 to provide that horticultural

commodities shall be included within the term "agricultural commodities," and for other purposes.

I know of no objection to the rule and I know of no objection to the bill.

Mr. ELLSWORTH. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. SIMPSON].

(Mr. SIMPSON of Pennsylvania asked and was given permission to speak out of order.)

Mr. SIMPSON of Pennsylvania. Mr. Speaker, a distinguished Member of the Pennsylvania delegation, the Honorable HARDIE SCOTT, has decided not to run again for his present position in the House of Representatives. Mr. SCOTT came to Washington in the Eightieth Congress. He is one of our most honored and respected Members. He serves upon the very important Committee on Banking and Currency. Whatever the factors which persuaded him not to run again, they are beyond my understanding, but the fact remains that he will be missed in this body. He has done an excellent job for the people of his constituency, for the city of Philadelphia, and for the Commonwealth of Pennsylvania. Those of us who know him best, namely, the members of the Pennsylvania Republican delegation, will miss him greatly, and I know he will be missed by this entire body to which he contributed so greatly. He is well educated, and he is a most capable Representative for the people of his city and State.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. GRAHAM. Mr. Speaker, at the opening of the Eightieth Congress HARDIE SCOTT came to us. He came wonderfully well equipped, experienced in law, along with a very fine education. He entered upon his duties here with a zest and fervor that few new men have shown. He was made a member of the Committee on Banking and Currency, and he assiduously devoted himself to that work, following his line of work, in which he has shown great aptitude. He endeared himself to the members of the Republican delegation of Pennsylvania. He has been loyal and faithful to his work. We will miss him, and we wish for him as he retires to his first love of the law every success, and I am sure that the good wishes of all go with him.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, I join with the other members of the Pennsylvania delegation in paying tribute to our colleague, HARDIE SCOTT. I had known HARDIE SCOTT for some period of time before coming to Congress. He is a highly successful and respected member of the Philadelphia bar. He made a great personal financial sacrifice when he decided to come to Congress. I feel that he has given, not only to the members of the Pennsylvania delegation, but to the Members of Congress his best thinking on all legislation which has appeared not only before his committee but the House. When the Pennsylvania delegation

would meet, it was always with great interest that we would listen to **HARDIE SCOTT**, when called upon to keep us informed on the business before the Committee on Banking and Currency. His keen, analytical mind would pick out the heart of the bills before that committee and the issues which would be presented to Congress.

I sincerely hope that with his return to the practice of law that he will continue to have an excellent future in that field. His leaving Congress will be keenly regretted not alone by the Pennsylvania delegation, but by all of the Members of the House.

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Pennsylvania [Mr. DENNY].

Mr. DENNY. Mr. Speaker, in my first term in the House I have had a great admiration for my friend, **HARDIE SCOTT**. He has been a constructive legislator, a close, fine and fair friend. I shall miss him very much. I think he is one of the men we have all looked up to in the Pennsylvania delegation.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I yield to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Speaker, **HARDIE SCOTT** came to Congress at the same time I did in the Eightieth Congress. Since that time we have been firm and fast friends. I have watched his work here. He is a quiet and effective worker. He has made a great contribution to the deliberations of this body. We shall miss him not only for his work but for his engaging personality. I hope he will have every success in the practice of law. He will always have the affection and high regard of those who served with him in this body.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I yield to the gentleman from California [Mr. McDONOUGH].

Mr. McDONOUGH. Mr. Speaker, I join in expressing my regrets that Mr. **SCOTT** is not returning to Congress. I have served with him on the Committee on Banking and Currency, and have become much better acquainted with him as a result of that association. It has given me an opportunity to appraise and appreciate his ability. He is a quiet, industrious, conscientious member of the committee and the House. I am sure we will miss his pleasant association socially as well as officially here. I join in expressing my hope that he will be contented and happy in his retirement, and be successful in anything he attempts to do.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. SITTLER].

Mr. SITTLER. Mr. Speaker, I too join in this expression of regret that our fellow Pennsylvanian, **HARDIE SCOTT**, has decided not to run again for Congress but to return to the private practice of that profession for which he is so well qualified—the law.

HARDIE SCOTT has been one of the very fine, conscientious members of our Pennsylvania delegation, and his friendly spirit has made him admired and respected by all who know him.

In our delegation meetings his reports of the activities of the important Banking and Currency Committee of which he is a member were both clear and complete.

One of America's great needs is for more of its qualified young men to enter the field of politics, and if every young attorney who is as well qualified for the job as **HARDIE SCOTT**, accepted as his public duty the quest of a period of service in Congress, our country would be much better governed.

We of the Pennsylvania delegation will miss his fellowship, the Banking and Currency Committee will miss his counsel, and the people of his district will look far before they find a more friendly and sincere Representative. I join my colleagues in wishing him only the greatest success as he continues to serve the people of his district in other ways.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I yield to the distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, I wish to join with my colleagues in expressing our sincere regret at the voluntary departure from this Chamber of **HARDIE SCOTT** of Philadelphia. Mr. **SCOTT** has been a faithful, conscientious and hard working Member of this body. While serving here, he had but one purpose, to serve his day and generation to the best of his ability. That service has been constructive and valuable to his constituents and to the country.

His departure is a great loss. All wish him continued success, good health and prosperity.

(Mr. **SIMPSON** of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the Record.

The SPEAKER pro tempore (Mr. **SMITH** of Virginia). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HALLECK. Mr. Speaker, to me it is always a matter of special regret when one of our newer and younger Members elects to retire from our presence, yet I am not unmindful that in many instances there are other considerations which must be respected.

Such a Member is **HARDIE SCOTT**, who came to us from the city of Brotherly Love—Philadelphia—in the Eighty-first Congress.

His work here in the Congress during that and the present session have earned for him the highest respect, not only among his fellow members of the Banking and Currency Committee, but among the wide circle of friends he has made in that time.

HARDIE SCOTT brought to the Congress a fine mind and a solid background of experience in private life to fit him for the duties of a legislator.

Those of us who have known him best will realize that beneath that quiet demeanor lies a strong character coupled,

happily, with an intelligent approach to the complex problems of our modern society.

HARDIE SCOTT's record in the Congress does him high credit. He has demonstrated by his grasp of fundamental issues and by his close attention to duty that he is the type of public servant we can ill afford to lose in these difficult times.

I join with others, who have appreciated the contribution he has made here, in wishing him well in whatever new endeavors he may undertake and in full confidence that his experience among us will, in turn, help him along the happy and satisfying journey of a long and useful life.

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that our colleague, the gentleman from Wisconsin [Mr. DAVIS] may have permission to extend his remarks in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Speaker, this afternoon there have been several farewell addresses with reference to Members who will not be candidates for reelection in the coming November election. The State of Ohio will lose two Members, both of whom have served for several terms. Naturally we are sorry to lose them. Through daily association with them we become attached to our colleagues. We want to say a good word about them. Dr. **WALTER BREHM** came to the Congress about 10 years ago. He came from the district that adjoins my district. In the last session of the State legislature, his district was cut up and they added two counties to my district, and two counties went to Mr. **SECRET'S** district, and two went to the sixth district. For that reason Dr. **BREHM** will not be a candidate for reelection this year.

Since Dr. **BREHM's** district adjoins mine, naturally we had a great deal in common. And of course, we got along very well together. When he first came to Congress, he was living in Hocking County, which is a county in which the coal-mining industry is the principal industry. He asked that he be permitted to serve on the Committee on Education and Labor. Being the dean of the Ohio delegation, and a member of the committee on committees, I was able to get him that assignment where he served with a great deal of credit and satisfaction to his constituency and to the country. Dr. **BREHM** was very regular in his attendance upon the sessions of Congress and was always well posted as to legislation that was being considered. He had a great deal to do with the legislation known as the mine safety bill which Congress will consider tomorrow.

Mr. Speaker, **CHARLES ELSTON** from the First District of Ohio, down in Cincinnati is going to leave us, too. Before coming to the Congress, he had achieved

for himself the distinction of being one of the foremost lawyers in the great city of Cincinnati. CHARLIE ELSTON has a quality of mind that has impressed itself on everybody who knows him. His incisive way of understanding intricate problems of law and government has made him a very valuable Member. His work on military matters has made him a master of that subject. I am sorry to see him go. He has been a very valuable Member and his place will be hard to fill.

Mr. Speaker, I do not want to take up too much time. There are several other Members from the State of Ohio who wish to be heard.

Mr. Speaker, I ask unanimous consent that Mr. HESS may be permitted to extend his remarks, immediately following my remarks, and that all other Members from the State of Ohio have permission to extend their remarks at this place in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MCGREGOR. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. I yield to the gentleman from Ohio such time as he may desire.

Mr. MCGREGOR. Mr. Speaker, it was my privilege to serve with Congressman WALTER BREHM, known to his colleagues and many friends as Doc BREHM, in the Ohio Legislature prior to our coming to the National House of Representatives. Doc at that time exemplified the same attitude toward his duties that he has since he became a Member of the Congress. He has been very alert and has capably represented the people of his district. His untiring efforts as a member of the Education and Labor Committee of the Congress will long be remembered. I join with my colleague in extending to Congressman BREHM and to Lucille Brehm, his splendid wife, our best and most sincere wishes.

Relative to my colleague, Congressman CHARLES ELSTON, it was not my privilege to know Congressman Elston prior to coming to Washington. But on the first day that I became a Member of Congress, I learned of the high esteem in which Congressman ELSTON is held by his colleagues. He has been an exceptionally capable member of the Committee on Armed Services, and he has been a guiding hand for many of us, particularly in the field of military problems. He is especially recognized as having a keen and analytical mind—and willing to always give a helping hand whenever needed. This was especially recognized when the Speaker of the House of Representatives appointed Congressman ELSTON on the Joint Committee of Atomic Energy. His valuable work on these committees will long be remembered.

I extend to Congressman ELSTON and his good wife Zelda our very best wishes for a continued successful life.

(Mr. MCGREGOR asked and was given permission to revise and extend his remarks.)

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Mr. Speaker, I have known Dr. WALTER BREHM, of whom the gentleman has just spoken, for many years. I first became acquainted with him in 1939, when I was speaker of the Ohio House of Representatives and Dr. BREHM came to the Ohio house representing his county. He requested that he be assigned to one of the most powerful, yet one of the most difficult committee upon which one might serve in the Ohio House of Representatives. As things worked out I was able to assign him to that committee, where he did remarkably good work. Some of the legislation which he was instrumental in having adopted in Ohio is still serving, and will serve for years to come, the best interests of the people of the State of Ohio. I need not tell the Members of Congress the courageous and good work he has done on the Committee on Education and Labor here. That is known to you. I am sure that Dr. BREHM's constituents regret to see him leave the Congress.

I would like to say a word or two about my very good friend, CHARLES ELSTON, from Cincinnati. I, too, have known him for a long, long time. He came to Congress before I did, and I need not extol his virtues to Members of Congress. I think, however, I should place on the RECORD this statement. CHARLES ELSTON is recognized as one of the best lawyers in the State of Ohio. His contribution in his capacity as a patriotic citizen and as a lawyer has been monumental in the Congress. His imprint on military justice will live long after CHARLEY ELSTON has left this Congress, and it will result in the enlisted men, as well as the officers, in our armed services receiving the justice to which they are entitled. I say that literally hundreds of thousands of people from the State of Ohio regret the choice CHARLES ELSTON has made. We hope that we may have his advice and counsel always, and he will come back to visit us often.

Mr. JENKINS. I thank my colleague. I yield to the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Speaker, all of us were elected to this body for the first time, once. All of us experienced a somewhat confused feeling within our hearts and minds on our first day in Congress. I shall never forget meeting CHARLIE ELSTON on that first day and hearing his words of advice, in which he said, "Don't let it get you down, BILL. Just do your best." CHARLIE ELSTON has been an inspiration to me. I sincerely regret his leaving.

Mr. JENKINS. Mr. Speaker, I want to yield to the gentleman from Ohio [Mr. ELSTON] himself. I am sure the membership will want to hear what may be CHARLIE ELSTON's last speech in this body.

Mr. ELSTON. Mr. Speaker, my only regret at the moment is that I do not have sufficient words to express my thanks for the tributes paid me by my

colleagues this afternoon. It goes without saying I deeply appreciate their kind remarks.

Fourteen years of service in the Congress of the United States has been a rich experience. It is an honor I shall never cease to cherish. Nor shall the depth of my affection for the Members of the House ever dim. Particularly does that apply to the members of the Ohio delegation, the Committee on Armed Services and the Joint Committee on Atomic Energy, with whom I have been so closely associated.

Although I am retiring from the House of Representatives at the end of the present session, I shall continue to take an active part in the affairs of Government. The experiences I have gained here necessarily will be helpful.

Since its creation, the Congress of the United States has been designated the greatest legislative body in the world. It has earned and preserved this title largely because of the loyalty, the diligence, and the devotion to duty of its membership. It is a privilege to have served with so many able men and women. My best wishes shall be with you always.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks at this point of the RECORD in encomium of these our Ohio friends who will not be with us next year, and that I may revise and extend my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. HALLECK. Mr. Speaker, It was my distinct pleasure, back in February of 1950, to appear as speaker on a Lincoln Day program in Lancaster, Pa., in the district represented by my friend, WALTER BREHM.

On that occasion I learned of the high esteem in which he is held by the folks who have sent him down here to the Congress.

That esteem is understandable to me and it is understandable to everyone here who knows WALTER BREHM.

He has capably fulfilled his obligations to his constituents and to the nation; he has been a diligent member of the Committee on Education and Labor.

One need only consider the background of WALTER BREHM to appreciate the substance of his character. With his heart set on a higher education he worked in the steel mills and the oil fields after graduation from high school. Such determination was not to be denied, and as a result of initiative and hard work he was graduated into the profession of dentistry.

His election to the Congress of the United States was preceded by public service as a member of the Ohio State Legislature, an experience which gave him a fitting background for his duties in this Chamber.

I count myself among the many friends who will miss WALTER BREHM in these halls and I join them in wishing him deserved happiness in the years ahead.

Mr. HESS. Mr. Speaker, I regret exceedingly the need to make these remarks today, as they concern my very good friend and colleague of many years. The Honorable CHARLES H. ELSTON, of the First District of Ohio, after serving 14 consecutive years in the House of Representatives, has decided to retire, and return to his first love, the practice of law in Cincinnati.

I became acquainted with CHARLEY ELSTON when he was a young member of the staff of the prosecuting attorney of Hamilton County, Ohio, in 1917. At that time I was court messenger for the late Judge Smith Hickenlooper, and Judge Frank R. Gusweiler, of the old superior court of our county, and was studying law at the same time. Well do I recall listening to the cases tried by CHARLEY in those days. I knew then that he would some day become one of the best trial lawyers in our city and State, and it was not too long after he left the prosecutor's office in 1925 that my prediction was borne out.

During World War I, he enlisted in the aviation service of the United States Army, and has since that time been a real student of air power.

In the year 1938, CHARLEY and I campaigned together for the first time, and we came to Congress together in January 1939. As a first term, he was assigned to the Military Affairs Committee at the request of the late Congressman Walter G. "Ham" Andrews, of New York, who was the ranking Republican member of the committee at that time. Congressman Andrews knew of CHARLEY ELSTON's reputation as a trial lawyer, and of his knowledge of military affairs, and of air power, in particular. CHARLEY served on that committee with distinction, and took a leading role in legislation creating the Atomic Energy Commission and the Joint Committee on Atomic Energy, of which committee he became a most active and valuable member.

In January 1947, when the Armed Services Committee was organized, CHARLEY and I were both placed on that committee, and sat side by side during the Eightieth Congress.

Congressman Andrews called upon CHARLEY to head the "Legal" subcommittee during that Congress. The subcommittee made many investigations and held many hearings under his chairmanship, and to Congressman ELSTON goes the credit for the present workable Court Martial Code of Justice. This is one of the finest legal tasks ever done by any committee of Congress.

Congressman ELSTON has been faithful in his attendance at the meetings of the Armed Services Committee and has always been on the alert to save money for the taxpayers without in any way impairing our defense.

It is with deep regret that I see CHARLEY ELSTON leave the Congress. He has made many valuable contributions to the betterment of his Government during his 14 years of service. Men of his ability and integrity are not easily replaced, and in times such as these we need men of his caliber in our legislative bodies. The Halls of Congress will miss him.

I wish him long life, good health, and happiness for himself and his loved ones.

Mr. HALLECK. Mr. Speaker, one of the more melancholy aspects of the closing days of any Congress lies in the realization that some of those we have cherished as good friends will not return as Members.

Beyond that, we know we shall miss the fine talents of CHARLES H. ELSTON who has so conscientiously served the First Congressional District of Ohio.

With his background as a lawyer, CHARLEY ELSTON has brought to this Chamber the benefits of a well-trained legal mind, coupled with a willingness to contribute a full measure of his time and energies to the broader concepts of national welfare.

All of us are fully aware of the rigorous duties attendant upon membership on the Armed Services Committee. These have been times of great strain and stress for all our people and it is safe to say that none of us has been more mindful of his great responsibilities in the field of legislation than our good friend, CHARLEY ELSTON.

It is a matter of personal regret to me that he is leaving this great activity, but it is my sincere hope that the coming years will bring him continued success and happiness.

CHARLEY ELSTON has been a devoted and faithful public servant in his years down here, making those personal sacrifices to his assignment as a Member of the Congress which so many are called upon to make.

I know he will not forget the many pleasant associations he has made in these halls; certainly we shall not forget him.

Mrs. BOLTON. Mr. Speaker, for almost a century the four walls of this Chamber have witnessed the coming and going of men and women who have given of themselves to formulate the laws of this great Republic of ours. The stream of government flows steadily on, the individual rides upon it like a leaf, sometimes through heavy rapids, sometimes drifting down calm and peaceful waters. For some years past the current has been swift, even cruel betimes, taking its toll in overexertion, in overstrain upon the capacity to endure.

Each year a few of our number pass beyond our orbit. Each year others, wiser perhaps than many of us, decide to relinquish their responsibilities here and reassume their home obligations.

This year 38 of our members have announced their decision not to return to Congress. How we shall miss them all.

During the now more than 12 years since I have represented the great Twenty-second District of Ohio here in this House—for some years the largest constituency in the land—it has been my privilege to work very closely with the stalwart CHARLES A. EATON, of New Jersey. What a power has been his. What a strength he has given at every turn. Working under him on the great Committee on Foreign Affairs, of which he was chairman during the Eightieth Congress, has been a never-to-be-forgotten privilege. Thank you, CHARLEY, for the warmth of affection that lies between us and for being you.

Back more than 20 years, when I came to Washington as wife to one of the finest of men, Roy Woodruff and his lovely wife, Daisy, gave me their friendship. It has meant much to me down the years, especially since I have had to stand on my own feet upon this historic floor. God keep you both, my dears, and give you many happy years together.

May I take this opportunity, my good friend and colleague "Uncle Bob" Dougherty, to tell you how much your charming courtesy has meant to me in these years when I have been privileged to sit across the aisle from you. It is men such as you who have made this country great—it is such as you who give our youth an example of what a true gentleman is. I do thank you for the warmth of your never-failing courtesy toward me and trust you will permit me to say here in the midst of those who respect and honor you, that the deep affection I have for you will warm my heart as long as Heaven permits me to live.

There are many others I have not known as I wish I might have known them. To you all I would give the hand of fellowship, saying God speed you in whatever it is that you go forth to do.

Ohio, too, loses two of its good men. One of them, "Doc" BREHM, has been called upon by the cold process of redistricting, to accept the parceling out of his counties to others. You have been a grand sport about it, Doc. I join with your other Ohio colleagues in wishing you and your sweet wife many years of happy companionship and good fortune.

We shall miss you sorely, CHARLES ELSTON, more than any words of mine can tell. Yes; 14 years is a long time to take out of your personal living and give it to your country as loyally as you have done, but I know how joyously you have given them. Most earnestly do I hope that you take with you a deep sense of satisfaction in work well done—work that has meant greater strength for America. It will be a long time before the Committee on Armed Services will find anyone so able.

To all of you who leave us as this Eighty-second Congress closes, I would say "good luck"—do not forget us—come back whenever you can, and may Heaven bless you, your loved ones, and our beloved country.

Mr. VORYS. Mr. Speaker, it gives me a lonesome feeling to realize that so many good friends are leaving the House.

Dr. WALTER BREHM has been my next door neighbor in Ohio in that he represented the district next to mine. I was born in the district he represents. His wife and my wife were in college together. His brother, Dr. Wayne Brehm, in Columbus is an old friend of mine. Our personal ties have been close. When Dr. BREHM came to Congress he asked for, and received, an important and difficult assignment, membership on the Committee on Education and Labor. This was a post of honor and of danger, politically, because passions are aroused over the controversial matters that come before that committee. Dr. BREHM carried on with courage and independence, letting the chips fall where they may. This characterized his work on the floor. In

his contacts with all of us he was friendly, kindly, witty, and philosophical. We will miss him in the corner seat in the Chamber that he always occupied.

CHARLIE ELSTON, who is also leaving us, came to Congress when I did, in the Seventy-sixth Congress. He left a brilliant law practice, could return to it now if he wished. I personally hope he will take it easy after his years of labor here. He has earned some leisure.

We were freshmen together. He was on Military Affairs then on the Armed Services Committee, before, during, and after World War II. Although he participated in much important legislation, I feel that perhaps his greatest work was on the military justice bill, which is a permanent monument to his keen legal mind, his sense of fair play, his common sense.

Having CHARLIE ELSTON on the Joint Committee on Atomic Energy has been a comfort to me. In that work he knew things I was not permitted to learn, but I had confidence in his ability to learn all the facts, then make wise decisions. He leaves here a monument of work well done, a great circle of friends who admire and respect him. He leaves a gap in the congressional front that will not be easily filled.

Mr. ELLSWORTH. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. DONDERO].

(Mr. DONDERO asked and was given permission to revise and extend his remarks.)

Mr. DONDERO. Mr. Speaker, we have all been listening to the tribute paid to Members of Congress who are about to leave us. Michigan will lose two men from this body, and I can say of both that they are really Nature's true noblemen. One of them has served 17 terms in this House, or 34 years. I speak of the Honorable ROY O. WOODRUFF, of Bay City. The other, the Honorable WILLIAM BLACKNEY, of Flint, Mich.

I have compiled and have before me a few remarks to give something of his remarkable record.

Mr. Speaker, ROY ORCHARD WOODRUFF, of Bay City, was born at Eaton Rapids, Mich., on March 14, 1876, of Scotch-Irish-English parentage. He received his education in the public schools of Eaton Rapids and the Detroit College of Medicine, graduating from the dental department in 1902, and engaging in practice in Bay City.

He enlisted in the Spanish-American War as a private in Company G, Thirty-third Michigan Volunteer Infantry, and served through the Santiago campaign. Mr. WOODRUFF was delegated by ex-President Theodore Roosevelt to raise a battalion of infantry for his division for service overseas in World War I, which he tendered the administration. When the division was denied service, Mr. WOODRUFF entered the Second Officers' Training Camp at Fort Sheridan, Ill., and was graduated a first lieutenant of infantry. He was assigned to the Three Hundred and Eleventh Ammunition Train. He was promoted to captain just prior to sailing for France with the Eighty-sixth Division, and was made major of infantry while on duty in

France, where he served 11 months with the AEF. He was honorably discharged at Camp Dix, N. J., in August 1919, after which he returned to Europe and spent 6 months investigating conditions in England, Belgium, France, Switzerland, Germany, Austria, Czechoslovakia, and Poland. He returned to the United States in March 1920.

Mr. WOODRUFF is married and has two children, Mrs. Ronald Houck and Devere. The latter served 4 years and 4 months in World War II, attaining the rank of lieutenant colonel.

In 1911, Mr. WOODRUFF was elected mayor of Bay City, serving one term, and was elected to the Sixty-third Congress on the Progressive ticket. Following military service, he was elected to the Sixty-seventh, Sixty-eighth, Sixty-ninth, Seventieth, Seventy-first, Seventy-second, Seventy-third, Seventy-fourth, Seventy-fifth, Seventy-sixth, Seventy-seventh, Seventy-eighth, Seventy-ninth, Eightieth, Eighty-first, and Eighty-second Congresses on the Republican ticket. His congressional service has been of longer duration than that of any other resident of Michigan.

Mr. WOODRUFF is a member of the Ways and Means Committee and the Joint Committee on Internal Revenue Taxation.

Mr. WOODRUFF served for many years as chairman of the Republican conference and on the National Forest Reservation Commission.

He is the dean of the Michigan delegation in this House. A stalwart American and an advocate of American principles. He leaves behind a brilliant record as an able legislator and especially for his statesmanlike services as a member on the Committee of Ways and Means of the House.

Our best wishes go with him for his health and future happiness.

Mr. ELLSWORTH. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks at this point of the RECORD on the life and character of the gentleman from Michigan [Mr. WOODRUFF].

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. RAYBURN. Mr. Speaker, ROY WOODRUFF and I came to the Sixty-third Congress together. During all of our service together we have been good friends. He is a statesman of a high order and a patriot of the best type. I will miss his warm friendship and his wonderful personality. His is a fine and good soul.

Mr. HALLECK. Mr. Speaker, I believe that every freshman Congressman in the early days of his service here finds those sturdy veterans among the membership to whom he looks in admiration.

For me, ROY WOODRUFF was such a veteran when I came to the Congress in 1935.

The years have not dimmed my respect and admiration for the manner in

which he has served his constituency in Michigan and the Nation as a whole.

There are comparatively few men who can look back over a period of service as long and eventful as that enjoyed by my good friend from the great community of Bay City.

There is wisdom that can come only through experience, and when we realize that ROY WOODRUFF has been ably conducting the duties of his office through 17 sessions of the Congress we can appreciate the wealth of legislative background that is being lost to the House of Representatives through his retirement.

It was partly that background which made ROY WOODRUFF a capable and valued member of the tremendously important Committee on Ways and Means. But it was also his depth of understanding of the American system—the system which has made this country great—which made it possible for him to make his splendid contributions to the work of this body.

My guess is that his retirement from the Congress does not mean the end of unselfish devotion to the cause of his fellow men. No one who has spent such a great portion of a lifetime in this Chamber can remain unmindful of other opportunities in private life to be of service to mankind.

Mr. MARTIN of Massachusetts. Mr. Speaker, the decision of ROY WOODRUFF to terminate his long and honorable congressional career casts a shadow upon all of us. It particularly saddens those of us who through the years have enjoyed his warm and generous friendship. ROY WOODRUFF was a fine, lovable person. He liked people and he liked to assist them. In particular, he was fond of young people and through his kindly aid and assistance made it possible for some of the younger Congressmen to be successful.

He was a trained legislator and was conversant with the many complicated national policies.

As chairman of the Republican conference, as a member of the policy committee, and as a member of the Ways and Means Committee he served with ability and distinction. He was one of the men I relied upon and one who never failed me.

Such friends are rare, and while I am sad to see him leave the scene of so many fruitful years, I rejoice in the rest he has so richly earned. We all wish for him many years of good health and happiness.

Mr. MCGREGOR. Mr. Speaker, when I first came to Congress in 1940, one of the first men who extended his hand in greeting was the distinguished gentleman from Michigan, the Honorable ROY O. WOODRUFF.

Congressman WOODRUFF, in my opinion, exemplifies the fundamental requisites of a public official: He is able, forceful and respected by all, and is one who always has time to listen to the problems of his fellowmen and to give wise counsel if it is requested.

ROY WOODRUFF's able leadership as a Member of Congress will be missed by the people of his district, the people of his State, and the people of this Nation.

I join with the others in wishing for him and his splendid wife a continuing enrichment of their lives upon retirement.

Mr. ELLSWORTH. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Speaker, I am sure that any Member who has had a chance to know Roy Woodruff will say that he is a high class gentleman.

The Committee on Ways and Means held a meeting some time ago which was attended by all of its members. Shortly before that time the gentleman from North Carolina [Mr. DOUGHTON] had announced his intention of not running for reelection. That meeting was attended by all the members regardless of party. At that meeting due regards were given to the fact that several members of the committee would not be back as Members of the next session of Congress.

Later the Republican members of the Ways and Means Committee held a good-bye party for Mr. Woodruff at which we took turns in expressing our regards for him. He has served a greater number of years in Congress than any other Republican with the possible exception of Mr. REEP.

Of course, I join in all the fine things that have been said about our distinguished colleague today.

Mr. ELLSWORTH. Mr. Speaker, I yield to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that all Members, particularly those from Michigan, may have the privilege of extending their remarks in the RECORD in regard to our colleague from Michigan [Mr. BLACKNEY], who is also retiring voluntarily from the House.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MCGREGOR. Mr. Speaker, I am sorry to learn of the retirement of a very close friend, the Honorable WILLIAM W. BLACKNEY, of Michigan.

BILL, as he is affectionately known, and I have had many things in common, and I am reluctant to accept the fact of his retirement. He has really been an excellent Member of Congress, and I am certain that the people of his district are not familiar with his many accomplishments because of his innate modesty.

Although I regret that BILL is leaving these halls, I compliment him on making his choice to return to his children, his grandchildren, and his home friends, and to become better acquainted with them and with his library, of which he so often speaks. BILL can be assured that we will not forget our friendly associations with him, and I hope that he will not forget his friends here. The best of luck to you, friend BILL.

Mr. HALLECK. Mr. Speaker, I am truly sorry that my good and able friend, BILL BLACKNEY, has decided not to come back to us next year. But I extend him my warmest wishes for continued health and happiness in the years that lie ahead.

With the indulgence of this body I would like to make a brief allusion to both our biographies to point up the parallel nature of our careers—coincidental items which contribute to my affection for the distinguished Congressman from Michigan.

Both of us were born in very small communities—WILLIAM BLACKNEY, in Clio, Mich., I in DeMotte, Ind. Both of us graduated from law school and practiced law—yes, and both of us came into political careers through the door of a prosecuting attorney's office. And both of us came to the Seventy-fourth Congress as freshmen.

For me, BILL BLACKNEY will always be remembered as a loyal and staunch comrade-in-arms. Well do I recall the situation when we were taking our places in this Chamber. Of all the minorities we have seen in this arena, the position of the Republican members was certainly the most minor. It was said, facetiously, that we could caucus in a phone booth. That was almost a fact.

Down through the years we have survived the political storms, witnessing together the vicissitudes of many sessions.

WILLIAM BLACKNEY's services will be greatly missed by his constituents; his counsel and experience will be sorely missed by his colleagues in the House of Representatives. I hope he will return to see us often.

Mr. ELLSWORTH. Mr. Speaker, I regret that there is not more time under this rule for remarks regarding our colleague from Michigan [Mr. WOODRUFF]. I know that every Member on the floor would like to express the same sentiments that have been expressed today with reference to the gentleman, but unfortunately we have only a certain amount of time under the rule, which has expired.

May I say that there is no objection to this rule on the minority side.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that the bill (S. 2357) to provide that horticultural commodities shall be included within the term "agricultural commodities" for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act, be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That clauses (4a) and (6) of subsection (b) of section 203 of the Interstate Commerce Act are amended by inserting after "agricultural" in each such clause the following: "(including horticultural)."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNAL REVENUE CODE

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3168) to amend section 113 (b) (1) (B) of the Internal Revenue Code with respect to the adjustment of the basis of property for depreciation, obsolescence, amortization, and depletion, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That so much of section 113 (b) (1) (B) of the Internal Revenue Code (relating to adjustments to basis of property for depreciation, etc.) as precedes the word 'Where' is hereby amended to read as follows:

"(B) in respect of any period since February 28, 1913, or exhaustion, wear and tear, obsolescence, amortization, and depletion, to the extent of the amount—

"(i) allowed as deductions in computing net income under this chapter or prior income tax laws, and

"(ii) resulting (by reason of the deductions so allowed) in a reduction for any taxable year of the taxpayer's taxes under this chapter (other than subch. E), subchapter E of chapter 2, or prior income, war-profits, or excess-profits tax laws.

but not less than the amount allowable under this chapter or prior income tax laws. Clause (ii) of this subparagraph shall not apply in respect to any period since February 28, 1913, and before January 1, 1952, unless an election has been made under subsection (d)."

"Sec. 2. Section 113 of the Internal Revenue Code (relating to basis of property) is hereby amended by adding at the end thereof the following new subsection:

"(d) Election in respect of depreciation, etc., allowed before 1952: Any person may elect to have clause (ii) of subsection (b) (1) (B) apply in respect of periods since February 28, 1913, and before January 1, 1952. Such an election shall be made in such manner as the Secretary may by regulations prescribe, shall be irrevocable, and shall apply in respect of all property held by the person making the election at any time on or before the date on which the election was made and in respect of all periods since February 28, 1913, and before January 1, 1952, during which such person held such property or for which adjustments must be made under subsection (b) (2). An election by a transferor, donor, or grantor made after the date of the transfer, gift, or grant of property shall not affect the basis of such property in the hands of the transferee, donee, or grantee. No such election may be made after December 31, 1952."

"Sec. 3. The amendments made by this act shall apply in respect of taxable years beginning after December 31, 1938. Provisions having the effect of such amendments shall be deemed to have been included in the revenue laws respectively applicable to taxable years ending after December 31, 1931, and beginning before January 1, 1939."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. JENKINS. Mr. Speaker, reserving the right to object, may I ask the distinguished chairman, Mr. DOUGHTON, if this is the so-called Camp bill?

Mr. DOUGHTON. Yes.

Mr. JENKINS. Mr. Speaker, as far as I know, there is no objection on our side with reference to this piece of legislation.

Public Law 472 - 82d Congress
Chapter 599 - 2d Session
S. 2357

AN ACT

All 56 Stat. 479.

To provide that horticultural commodities shall be included within the term "agricultural commodities" for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clauses (4a) and (6) of subsection (b) of section 203 of the Interstate Commerce Act are amended by inserting after "agricultural" in each such clause the following: "(including horticultural)".

49 Stat. 545.

49 Stat.

§ 303(b).

Approved July 9, 1952.

